

Judicial Department
Litchfield County. County Court. Papers by Subject
1750 - 1855
State Archives Record Group No. 003

History

Papers by Subject is an artificial collection consisting of materials removed from Litchfield County Court *Files* series by State Library staff after the records were received from the Litchfield court.

Scope and Content

Papers by Subject consists of records in certain subject categories that were removed from Litchfield County Court *Files* as State Library staff reorganized them in the 1920s or 1930s. These artificial collections were pulled together to assist researchers by identifying material relating to topics of interest. The categories are organized alphabetically, and then arranged chronologically within each category.

Admissions to the Bar (1796-1855) contains chronologically arranged certificates from the county bar's Committee of Examiners reporting results of its examination of candidates seeking to be admitted to practice before the Litchfield County Bar. Most give the applicant's hometown. Recommendations from Yale Law School or practicing attorneys certifying to the candidate's fitness, training and experience appear in some cases after 1845. James Gould, of the Litchfield Law School, sat on the committee thru 1812.

Appointments of Officers (1750-1854) contain materials regarding the appointment, resignation or dismissal the following civil officers: surveyor, constable, treasurer, deputy sheriffs, state attorney, gaolkeeper, and inspectors of provisions such as beef, pork and lime. Some documents report an appointment by town selectmen. Others consist of a petition by an individual seeking to be appointed. These are common in the case of surveyors, and may include letters of reference by fellow practitioners with whom the petitioner served an apprenticeship or who attest to the candidate's skill and knowledge. These records are arranged chronologically by year.

Confiscated Estates and Loyalists (1777-1779) Filed chronologically, this subseries contains only two cases. The first (1777-1778) concerns William Davis of Kent, while the second is a 1779 action against Hiel Camp of Washington. The Washington selectmen informed the justice of the peace that "Hiel on or about the first Day of July AD 1777 went & joined the British forces at New York & still remains with the Enemy in open violation of the Laws of God & of this State," asking for a writ to seize his property. As a result of this action, Camp's estate was forfeit.¹

Conservators and Guardians (1751-1855) is composed of petitions for the appointment of guardians for minors (those under the age of 21) who are orphans or for other reasons need an adult to manage their property or affairs. Conservators are similar to guardians, except that they are appointed by the court to protect or manage the affairs of the elderly, infirm or mentally impaired who own property or who need to be provided with care. A family member, selectman or other interested party, may make the petitions, which often contain language that may offend modern sensibilities. For example, Anna Green was declared by the Norfolk selectmen to be "a Lunatick & distracted person."² Leverett Bassett of Harwinton filed two petitions with the court in April 1822, one claiming that his brother Lyman was "an idiot or lunatic" who

¹ Papers by Subject, Confiscated Estates and Loyalists, Box 1, folder 19.

² Ibid, Conservators and Guardians, Box 2A, folder 1.

was incapable of taking care of himself. The next day, he filed a similar petition concerning his brother Eaton. Benoni Hough was appointed conservator for both Basset brothers.³

In addition to applications, the files may contain bonds posted by the court-appointed fiduciary (conservator or guardian), inventories of property, periodic accountings of money spent to provide for the ward, and applications to sell the ward's real estate. Some estates may consist of many years of filings.

The entire span of records, from 1751 to 1855, has been arranged alphabetically by the ward's last name for ease of use.

Costs (1751-1855) are accountings of court costs from individual files for items such as service of writs, summoning of witnesses, sheriff's travel expenses and the like. Many are from criminal cases. Some cost records do not include the name of the case to which they belong. The records are filed chronologically by year.

Court Expenses (1765-1854) are arranged chronologically and consist primarily accounts prepared by the court clerk of the expenses incurred in running the court. Entries include such items as blank books, ink, pens, candles and firewood. Sheriff's bills for the maintenance and operation of the court building, including firewood, candles and sweeping the floor are also found in this subseries.

Court Expenses also includes information on the repair of the courthouse and jail buildings, including bills from contractors who performed the work. A new jail and jailhouse were built in 1811; Folder 14 of Box 6 contains many receipts from Aaron Smith, the contractor on the job. And the repairs and alterations made to the court house in 1819 by Jonathan Carrington may have been related to a three-day trip in March 1819 trip to Lenox, Massachusetts to get a copy of its courthouse plan.⁴

In addition, Court Expenses contains some itemized gaoler accounts. These provide details of the care provided to prisoners while incarcerated in Litchfield. For instance, gaoler Albert Sedgwick purchased pants, boots, coat, vest and cap for George Butler during his one-year imprisonment in addition to providing 52 weeks of boarding expense.⁵

Executions (1754-1855) are court orders to a sheriff to enforce a judgment by seizing and selling real or personal property owned by the losing party in a lawsuit to obtain funds to satisfy the judgment. These can be a valuable source of information on the possessions of citizens of a wide range of economic classes, ranging from affluent slave owners whose slaves are listed as chattels, to subsistence farmers whose crops may be their principal assets. Executions are arranged by year and; within each year, they are arranged alphabetically by the surname of the winning party.

Indians (1835-1853) This subseries contains conservator's or overseer's accounts for the "Scaticook" tribe. This is the original Papers by Subject-Indians box; due to the fragile nature of the originals, State Archivist Dr. Mark H. Jones substituted photocopies on June 26, 1998. See also Papers by Subject: Miscellaneous (Box 29 Folder 13) for the 1841 bond posted by tribal overseer Abel Beach and his accounting of promissory notes due to the tribe.

Other material relating to Indians, the tribe, or tribal members found during the 2001-2004 Court Records Project is located in the *Litchfield County Minorities Collection*.

Inquests (1810-1852) are investigations into the causes of suspicious deaths. They are arranged chronologically by year.

³ Ibid, Conservators and Guardians, Box 2, folder 6.

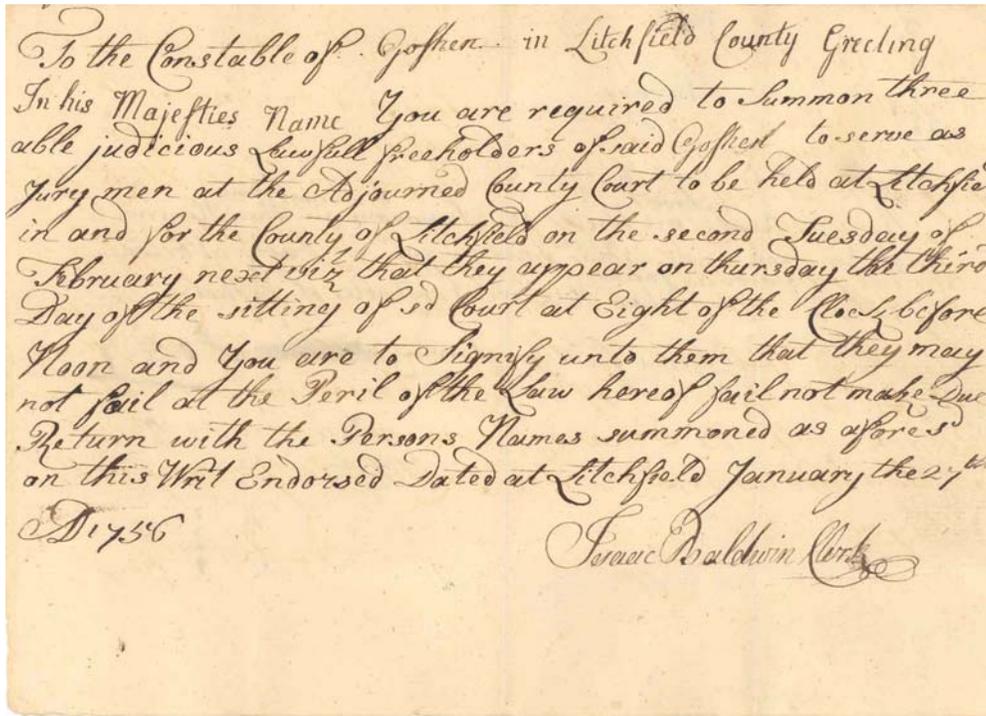
⁴ Ibid, Court Expenses, Box 6, folder 17; Box 7, folder 2.

⁵ Ibid, Box 8, folder 13.

Insolvents (1764, 1833) consists of two cases. The first involves the 1764 insolvent estate of David Hamilton of Sharon. The second is documents concerning the creditors of Sherman Potter of Plymouth (1833).

Jurors contains orders to town constables to summon jurors for jury duty, as the court needed them to try cases. In addition, the clerk's notes of the individuals who served on the jury for certain trials may be found here. For example, in 1807, Sally Bird's conservator ("she being impotent and unable to provide for herself") brought suit against Ebenezer Wilson and Benjamin Smith, the executors of deceased Seth Bird's estate, to claim the \$480 owing to her. The jury found that Sally was owed \$246.97 plus her costs of suit.⁶ Papers by Subject, Jurors contains a list of the ten men who sat on the jury deciding this case in December 1807.⁷

Illustration 1



Summons for three Goshen Jurors, 1756⁸

These records are arranged alphabetically by town name, then chronologically. Under Litchfield can be found juror records pertaining both to the town of Litchfield and the county. Juror lists for more than one town are filed under Litchfield, therefore, researchers seeking town juror information should check that location as well as under the town of interest.

Licenses (1751-1848) For the period 1751-1832, this subseries contains petitions from licensed leather tanners that an individual seeking a license as a tanner has mastered the trade. Many include statements of reference from tanners with whom the applicant had served an apprenticeship. There are also some petitions from individuals seeking tanning licenses. Some cases involve tradesmen who were also

⁶ Litchfield County. County Court. Files, *Bird v. Wilson & Smith*, Box 167, folder 14.

⁷ Papers by Subject, Jurors, Box 23, folder 9.

⁸ *Ibid*, Box 22, folder 14. On the verso of the summons, the information is recorded that Jonathan Buell, Nathaniel Baldwin, Jr., and David Norton were selected.

shoemakers. Between 1841-1848, this subseries contains applications and licenses for peddlers. In order to receive a peddler's license, an individual needed to be of good moral character. All records are arranged chronologically.

Meeting House (1753-1831) consists primarily of memorials of town or parish inhabitants seeking to build a meetinghouse, asking for the court to appoint a committee to designate a site for the building. Many are accompanied by committee reports and related records, such as objections to the proposed site by some residents and descriptions of early meetinghouse buildings. Solomon Whitney, clerk of the Canaan 2nd Society, certified to the court in 1768 that the inhabitants "have Buildd a Meeting House in said Society for the divine Worship of God...which House is fifty feet in length and forty feet in Wedth, which is well Cover'd and Color'd, the Under floor laid and a Pulpit built."⁹

Several suits alleging breach of contract by ministers are also found in Meeting House. The South Farms (Litchfield) Society brought suit against George Beckwith, its pastor, in 1781, seeking to dissolve the parties' contract. The suit alleges that he had violated his contract by "attempting the chastity" of Mrs. Sarah Gibbs, Miss Mary Goodwin and Mrs. Miranda Woodruff. Beckwith prevailed, and the Society appealed in 1784, only to lose again.¹⁰ Another breach of contract matter was brought by the Presbyterian Society of Woodbury against Matthew Minor in 1831.¹¹

Militia (1757-1781). This subseries contains actions brought for "refusal and neglect" to report for service in the militia. One of the more unusual cases is a suit brought by John Garnsey of Litchfield against John Jeffrey of Cornwall in 1758. Garnsey alleged that Jeffrey taken Garnsey's slave Fuller from him and refused to return him; Jeffrey replied that the plaintiff had agreed to send Fuller with Captain Buel to be a soldier in lieu of Garnsey's son.¹²

Many of the cases here are from 1777, 1778 and 1779 and were brought against men for failure or refusal to march to "Peeks kill" in April 1777. Several cases stem from alleged refusal to defend Danbury when it was under British attack. The records are arranged chronologically by year, then alphabetically by name. Two 1757 Militia items have been placed in Miscellaneous.¹³

Miscellaneous (1754-1854) A variety of material can be found in this subseries. Earlier years (approximately 1754-1820) contain a substantial number of Protection Orders. These protected debtors with a large number of debts from arrest while at court suing their own creditors. In later years, many arrest warrants and writs of mittimus have been collected here, although some can be found in the related criminal case. Scattered throughout are records relating to prisons, gaolers and workhouses, such items as expenses for boarding prisoners, subpoenas, depositions, warrants for transfer of prisoners, and leases. The subseries also contains scattered materials relating to such other subjects as common lands, the court house, leases, and presentments of grand jurors.

A photocopy of the original bond filed by Abel Beach as Overseer of the "Scatecook" Indians and his accounting of promissory notes due to the tribe are found here in Box 29, Folder 13. Also of interest is the October 1846 Bylaws of the Litchfield County House of Work (prison).¹⁴

Naturalization (1846, 1855) is made up of two petitions for naturalization. James Maher "now residing in Washington," a citizen of Great Britain made the first in 1846. Philip Kampf of Kent, a citizen of Prussia, filed the second in 1855. These records had been misfiled and were found only recently. The original contents of Papers by Subject Naturalization were transferred to the National Archives in 1984;

⁹ Ibid, Meeting House, Box 28, folder 4.

¹⁰ Ibid, Box 28, folder 7.

¹¹ Ibid, Box 28, folder 10.

¹² Ibid, Militia, Box 28, folder 11.

¹³ Ibid, Miscellaneous, Box 29, folder 21.

¹⁴ Ibid, Box 29, folder 14.

they are held at the Waltham, MA branch. The Connecticut State Library's History and Genealogy Unit owns microfilm of the originals.

Partition Land (1757, 1804-1805) contains three cases. First, an action brought in 1757 by the heirs of Daniel Bidwell of Hartford against the heirs of Cyprian Watson of New Hartford demanding partition of two "carting Lotts" in New Hartford. Two related petitions from 1804-1805 against Solomon Peck and Nathaniel Ives by plaintiffs David Lusk and Thomas Lee make up the remainder of the subseries. One petition seeks the partition of land in New Hartford; the land in the second case is located partly in New Hartford and partly in Barkhamsted

Travel: Taverns (1751-1855) is composed primarily of chronologically arranged certifications to the court of the tavern keepers appointed by the county's towns. Tavern licenses were appointed, or renewed, annually by the court. Occasionally, there were objections to individual appointees, as was the case in Barkhamsted in 1810. Objections were filed to the licensing of Oliver Phelps, which described his behavior as lewd and indecent. Phelps did not receive a license.¹⁵

Travel: Bridges (1789-1839) consists of petitions by inhabitants seeking to have unsafe or destroyed bridges repaired or rebuilt. In addition, several suits brought by plaintiffs who were injured or suffered damages as a result of accidents on unsafe bridges can be found here.

Travel: Turnpikes (1800-1845) is composed of a variety of material relating to the establishment, layout and business of the county's turnpike roads. Turnpike companies were established by act of the General Assembly. These range from an audit of the stock of the New Milford and Litchfield Turnpike Company as of 12 November 1800 to a suit brought by the Waterbury River Turnpike Company against the Towns of Harwinton and Litchfield for failure to build a bridge across the Waterbury River.¹⁶ The subseries also contains suits brought by turnpike companies against its contractors for shoddy work, and suits brought **against** the turnpike companies for failure to pay for work performed.

Travel: Highways (1790-1855) consists of petitions by inhabitants seeking to have unsafe highways repaired. In addition, suits brought by plaintiffs who were injured or suffered damages as a result of accidents on improperly maintained roads can be found here. The State of Connecticut filed many suits against towns that failed to live up to their statutory requirement to keep their roads in proper repair. In addition to being filed chronologically by year, these cases are filed alphabetically by the name of the defendant town.

Provenance

The original records of the Litchfield County Court were transferred to the Connecticut State Library by the Judicial Department in 1928. The materials contained in Papers by Subject were originally part of the Litchfield County Court Files series.

Related Records

For some subject categories, not all items were identified or removed by the processors. The 2001-2004 Court Records Project transferred many records from *Files* to *Papers by Subject*. However, isolated items remain in *Files*, particularly in these categories: Conservators & Guardians, Costs, Executions, Licenses and Travel records relating to highways, bridges and turnpikes. To some extent, this reflects the

¹⁵ Ibid, Travel: Taverns, Box 33, folder 10.

¹⁶ Ibid, Travel: Turnpikes, Box 36, folder 12.

records' organization. For example, in earlier years, Costs and Executions are often found interfiled with the court case to which they apply.

Additional information can be found in the following:

Litchfield County Court *Index to Records* 1751-1855 (11 volumes). See container list **Litchfield County No. 1**. The *Index to Records* is a master index to all the volumes, with entries by case name.

Litchfield County Court *Records*, 1751-1855 (22 volumes). See container list **Litchfield County No. 2**;

Litchfield County Court *Dockets*, 1759-1855 (19 volumes). See container list **Litchfield County No. 6**;

Litchfield County Court *Executions*, 1768-1855 (5 volumes). See container list **Litchfield County No. 4**;

Litchfield County Court *Appeals* 1798-1854 (5 volumes); See **Guide to the Records of the Judicial Department**; and

Litchfield County Court *Defaults*, 1798-1855 (16 volumes). See container list **Litchfield County No. 7**.

Closely related records are those of the Litchfield County Superior Court. It heard appeals from cases decided by the county court and the bulk of cases heard by the Superior Court for each county consisted of appeals from the lower court. *Papers by Subject* subseries for many of the categories here also have been created from the Superior Court files.

In addition, many of the cases heard by the County Court originated in the local justice court, convened by the Justices of the Peace of each town. For more information about Justice of the Peace Courts, and for a list of the State Library's holdings, please see **Guide to the Records of the Judicial Department, Second Edition**, pages 57-61.

If a researcher is interested in records relating to will or estates, please check the Probate Court Records (RG 004). Land records for Connecticut towns can provide further information for matters relating to real estate. More importantly for the researcher, most land records have been indexed by both the Grantor (owner or seller) and Grantee (buyer or person with a claim to the property). In Connecticut, property deeds are recorded in the records of the town where the land is located, rather than on a county basis as is common in most parts of the country. The State Library has an extensive collection of microfilmed land record volumes and indexes from towns throughout the state.

Access Note

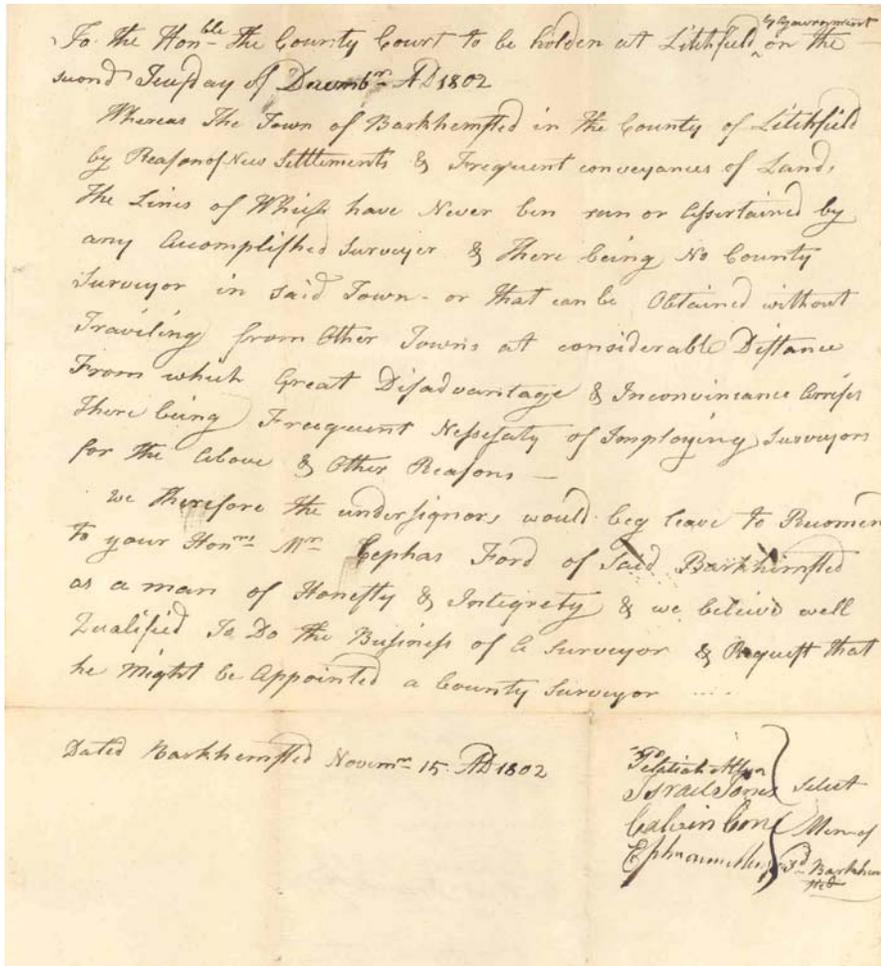
Indians (Box 21), consists of photocopies of the original documents. Owing to their fragile condition, access to all originals has been restricted.

Container Listing

1. **Admissions to the Bar**
1796-1855 (folders 1-6)
2. **Appointments of Officers**
1750-1854 (folders 7-18)

Box # 1

Illustration 2



1802 Petition for the appointment of a surveyor for the town of Barkhamsted¹⁷

3. **Confiscated Estates & Loyalists**
1777-1779 (folder 19)
4. **Conservators & Guardians 1751-1855**
Allen-Gordon

Gould-May

Box 2

Box 2A

¹⁷ Ibid, Appointments of Officers, Box 1, folder 8.

Merriam-Thrall	Box 3
Titus-Wright (folders 1-10)	Box 4
5. Costs	
1751-1770 (folders 11-20)	
1771-1851	Box 5
1851-1855 (folders 1-8)	Box 6
6. Court Expenses	
1765-1817 (folders 9-20)	
1818-1835	Box 7
1836-1854 (folders 1-14)	Box 8
7. Executions	
1754, 1757, 1795-1799 A (folder 15)	
1795-1799 Ba (folder 16)	
1795-1799 Be-BI folder (17)	
1795-1799 Bo (folder 18)	
1795-1799 Br-Bu (folder 19)	
1795-1799 C (folder 20)	
1795-1799 D-W (folders 1-16)	Box 9
1800, 1801 B-C folder17)	
1801 D-W (folders 18-19)	
1802 H-M (folder 20)	
1802 R-W (folder 1)	Box 10
1804-1808 A-R (folders 2-20)	
1804-1808 S-Y (folders1-5)	Box 11
1809-1817 A-F folders 6-20)	
1809-1817 G-Pe	Box 12
1809-1817 Ph-W (folders 1-13)	Box 13
1818-1832 A-Bo (folders 14-20)	
1818-1832 Br-Hy	Box 14
1818-1832 J-Sm	Box 15
1818-1832 Sp-Wo (folders 1-11)	Box 16

1833-1844 A-Ca (folders 12-20)	
1833-1844 Ch-My	Box 17
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1845-1855 A-Ba (folders 18-20)	
1845-1855 Be-P	Box 19
1845-1855 R-W	Box 20
8. Indians	
Indians (Original Papers by Subject)	Box 21
9. Inquests	
1810-1852 (folder 1)	Box 22
10. Insolvents	
1764, 1833 (folder 2)	
11. Jurors	
Barkhamsted, 1789-1853 (folders 3-4)	
Bethlehem (Bethlem), 1789-1854 (folders 5-6)	
Canaan, 1754-1854 folders 7-9)	
Colebrook, 1799-1854 folders 10-11)	
Cornwall, 1754-1854 (folders 12-14)	
Goshen, 1754-1854 (folders 15-17)	
Hartland, 1793-1795 (folder 18)	
Harwinton, 1754-1825 (folders 19-20)	
Harwinton, 1826-1854 (folder 1)	Box 23
Kent, 1760-1854 (folders 2-4)	
Litchfield, 1754-1823 (folders 5-20)	
Litchfield, 1824-1849	Box 24
Litchfield, 1850-1854 (folders 1-3)	Box 25
New Hartford, 1756-1853 (folders 4-6)	

New Milford, 1754-1853 (folders 7-9)	
Norfolk, 1779-1853 (folders 10-12)	
Plymouth, 1796-1854 (folders 13-14)	
Roxbury, 1801-1854 (folder 15)	
Salisbury, 1767-1854 (folders 16-18)	
Sharon, 1768-1835 (folders 19-20)	
Sharon, 1837-1854 (folder 1)	Box 26
Southbury, 1789-1804 folder 2)	
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Warren, 1787-1854 (folders 6-7)	
Washington, 1780-1854 (folders 8-10)	
Watertown, 1781-1854 (folders 11-13)	
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Woodbury, 1754-undated (folders 17-20)	
12. Licenses	
1751-1841	Box 27
1842-1848 (folder 1)	Box 28
13. Meeting House	
1753-1831 (folders 2-10)	
14. Militia	
1757-1781 (folders 11-20)	
15. Miscellaneous	
1754-1854, undated	Box 29
16. Naturalization	
1846, 1855 (folder 1A)	Box 30
17. Partition Land	
1757, 1804-1805 (folder 1)	

Illustration 3

To Elnathan Judson Cap^t of a Horse in a 13th Regiment in the
Colony of Connecticut by writing
In pursuance to an Act of a General Assembly of a Colony of Connecticut
cut upon sight hereof you are Required with Advice of a
Civil Authority of to be Retained to detach or Impress by Muster
ing your Company or otherwise 13 Able bodied Efficient men
to be taken out of the Limits of your Company for his Majesties
Service in the present Campaign And you are to signify
to those men you shall Impress that if within a Space
of 14 Days after they are Impressed for they shall Entail their
Selves into his Majesties Service they shall be Entitled to
the same Premium which other Entitled men are Enti-
tled to by Act of Assembly which men are to be Under
Command of Lieut Colⁿ Hinman in a 13th Regiment
Regiment & make Return to the Mastermaster of
the 13th Regiment
Dated in Hartford
This 17th of May A^d 1758
R. Q. Jonnison Co¹

Order to Capt. Elnathan Judson to detach or impress
Thirteen able bodied men to serve in the 1758 campaign¹⁸

18. Travel: Taverns

1751-1776 (folders 2-20)

1777-1794

Box 31

1795-1805

Box 32

1806-1818

Box 33

1819-1829

Box 34

1830-1846

Box 35

1847-1855 (folders 1-9)

Box 36

19. Travel: Bridges

1789-1839 (folders 10-11)

¹⁸ Ibid, Militia, Box 28, folder 11.

20. Travel: Turnpikes

1800-1845 (folders 12-16)

21. Travel: Highways

1790-1825 (folders 17-20)

1825-1832

Box 37

1832-1842

Box 38

1843-1851

Box 39

1852-1855

Box 40