

**New London County. County Court. Files, 1691-1855**  
**Judicial Department**  
State Archives Record Group No. 003

**History**

The first Connecticut judicial proceedings probably took place on April 26, 1636, at “A Corte holden in Newtown” [Hartford] under the commission granted to eight leaders of the infant colony by the General Court of Massachusetts.

In 1638, the General Court established the Particular Court (often called the “Quarter Court” because it was required to meet every three months). While the General Court, later called the General Assembly, controlled the administration of justice, the Particular Court was the colony’s principal judicial body until King Charles II granted Connecticut its Charter in 1662. Under the new Charter, the Particular Court was abolished and two new levels of courts established: the Court of Assistants in 1665 and county courts in 1666. Separate probate courts were established in 1698.<sup>1</sup>

County courts, often called courts of common pleas, existed from 1666 until 1855, when the General Assembly, controlled by Know Nothings, streamlined the State’s “bloated judiciary system” which represented the largest public expense by eliminating the county courts and dividing its jurisdiction between the superior court and local town courts.<sup>2</sup> This new two-tiered court system proved to be impractical and new courts of common pleas for each county were established as early as 1870.

County courts considered appeals of from local justice courts and had original jurisdiction to try all civil and criminal cases except those concerning “life, limb, banishment, adultery, or divorce.” In the colonial era, all suits for debt for sums greater than forty shillings were heard by the county court, a sum increased to \$35 by the early nineteenth century and \$50 by mid-century. The county courts served as the “workhorses of the Connecticut judicial system” and usually met three times per year.<sup>3</sup>

The New London County Court was organized in 1666, but the first files do not appear until 1691. Prior to the existence of files, information on court actions can only be tracked through bound volumes of *Trials*.<sup>4</sup> Files become comprehensive in the first decade of the eighteenth century, but are not extant for the period between February 1775 and June 1781 due to the fact that they were destroyed in a British raid on New London and Groton under the leadership of Benedict Arnold on September 6, 1781.

New London County did not have a single shire town and sessions of the court alternated between New London and Norwich. County boundaries changed over time, but for most of the colonial period the court had jurisdiction over the towns of Groton, Killingworth, Lyme, New London, Norwich, Preston,

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<sup>1</sup> The Superior Court established in 1711 replaced the Court of Assistants.

<sup>2</sup> Mark Voss-Hubbard, *Beyond Party: Cultures of Antipartisanship in Northern Politics before the Civil War* (Baltimore: The Johns Hopkins University Press, 2002), 150.

<sup>3</sup> Dwight Loomis and J. Gilbert Calhoun, *The Judicial and Civil History of Connecticut* (Boston: The Boston History Company, 1895), 128-36, 155-56; Bruce H. Mann, *Neighbors and Strangers: Law and Community in Early Connecticut* (Chapel Hill, NC: The University of North Carolina Press, 1987), 7-8. The phrase “workhorses of the Connecticut judicial system” comes from Mann, *Neighbors and Strangers*, page 8. The General Assembly served as the Supreme Court until replaced by the Supreme Court of Errors in the 1780s.

<sup>4</sup> Bound volumes of *Trials* do not exist for the periods between 1704 and 1710 and 1769 through June 1781.

Saybrook, and Stonington.<sup>5</sup> After the Revolution, Killingworth and Saybrook became parts of newly formed Middlesex County and Colchester moved from Hartford to New London County. In addition, Montville was hived off from New London in 1786 and Waterford from New London in 1801, and Bozrah, Franklin, and Lisbon formed from Norwich in 1786. Other new towns formed in the nineteenth century were North Stonington (1807), Griswold (1815), Salem (1819), Ledyard (1836), and East Lyme (1839). Lebanon moved from Windham to New London County in 1823.

Court personnel consisted of the chief judge and four justices of the peace et quorum appointed annual by the General Assembly at its May session, the county clerk and county treasurer chosen by the court, jurors from the several towns in the county, plus the sheriff, deputy sheriffs, and the jailors for the New London and Norwich jails.

### Using Court Records

Court records present difficulties for researchers. Physical condition represents the first and greatest challenge. Prior to this processing project, *Files* for New London County were folded several times to fit into a standard size with second and third documents for the same case wrapped inside the first document. In addition, many were torn or in poor physical condition. Although these difficulties have been overcome, intellectual access still presents a challenge.

Researchers must examine papers in several different locations in order to gather all materials on a given person or subject. First, *Dockets* need to be examined. They may be found either bound with volumes of *Trials*, separate boxes of manuscript dockets, or in five volumes of *Dockets* covering the period between 1835 and 1855. *Dockets* generally include the names of the plaintiff and defendant, information on the disposition of the case (withdrawn, continued, execution granted, etc.), and information (usually a docket number) on where to find more detailed data. Often surnames of the lawyer or lawyers are also included. Second comes *Trials*, located in bound volumes. They usually contain a short paragraph that summarizes the nature and disposition of each case.<sup>6</sup> Third, *Files* hold the most detailed information available on a particular case. *Files* usually contain a summons or writ, a document that contains a variety of other useful information, and often one or more additional documents, such as a debt by note, debt by bond, a list of book debts, depositions and/or testimony of witnesses, pleadings by lawyers, power of attorney, an accounting of court costs, and occasionally summonses for witnesses and a copy of the jury verdict. The overwhelming majority of cases consist of one or two documents. A fourth place in which researchers may need to look under some circumstances is *Papers by Subject*. Consisting of materials removed from *Files* after the records were transferred to the State Library in 1921, three series in particular may have to be examined for further information; Costs, Executions, and Summons for Evidence. If the losing party in a case did not accept the verdict of the county court, then it was appealed to the Superior Court and same three sources examined to follow the case to its conclusion.<sup>7</sup>

Separate docket volumes first appear in New London County in December 1835. Prior to that time, one has to search through the volumes of *Trials* to the docket section found immediately before the records

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<sup>5</sup> Canterbury, Killingly, Lebanon, Plainfield, and Voluntown were included within the bounds of New London County until the establishment of Windham County in 1726.

<sup>6</sup> The volumes for *Files*, in addition to containing docket information, also often include lists of cases continued and adjourned, plus accounts of court expenses, names of court officers, and licenses for tanners and tavernkeepers.

<sup>7</sup> *Papers by Subject* consist of materials on a variety of other subjects, like Admissions to the Bar, Conservators and Guardians, Costs, Executions, Indians, and Travel. They are identified by cross-reference slips of paper usually found at the beginning of *Files* for each court session. The x-ref card gives the name or subject of the case, the subject to which it has been transferred, the original docket number of the case, and a new file number in pencil for the case.

for each court session.<sup>8</sup> Unfortunately, the existence of a docket for a case does not necessarily mean that trial or file information is available. If a case was withdrawn or the plaintiff failed to appear, then usually nothing exists in *Trials*, although documentation is generally found in *Files*. To make matters more complicated, beginning with the court session for June 1744, no docket cases are found in a separate A-Z alphabetical listing following the numerical run of decided cases. Often these no docket cases are listed somewhere in the docket section of *Trials*, but not necessarily at the court session that these materials appear. For example, a case that is ultimately withdrawn may be listed in the docket pages of *Trials* for one session of the court and the papers themselves found in the records of a later session.

Sometimes the disposition of a case is found in *Trials* and nothing appears in *Files*. On rare occasions, the only source for information on a case is found in *Dockets*. Researchers, therefore, must examine all three sources but, if research gold is to be discovered, it will generally be found in *Files*. A great deal of valuable information can be found in no docket or non-adjudicated cases. For example, Thomas Wait of Lyme sued Nathaniel Beckwith for £23 for failure to deliver ten ewes, ten lambs, and twenty pounds of wool to the plaintiff by June 1, 1741. Titus Hurlbut of New London sought damages in February 1742 from William Lamson for not framing the plaintiff's house as per contract.<sup>9</sup>

Although *Trials* and *Files* contain the most useful information on lawsuits, certain series of *Papers by Subject* provide valuable supplementary documentation. Costs, Executions, and Summons for Evidence are the ones that relate most directly to *Trials*, although other series contain valuable data. See the finding aid to *Papers by Subject* for detailed information. Costs give detail on the specifics of the expenses incurred in cases, while Executions provide information on the collection of debts and Summons for Evidence provides the names of people called to testify in contested court cases.

### Arrangement

The county court usually met three times per year, in February, June, and November and the records for each session are arranged in numerical order beginning in 1716.<sup>10</sup> Files are arranged generally in numerical and alphabetical order by surname of plaintiff beginning in February 1739. The records for the June and November sessions followed a standard pattern. Continuances and reviews were the first cases heard and decided and are generally in the worst physical condition. Reviews represent cases that had been decided at one court, but the losing party asked for a review of the verdict at a subsequent court. Continued cases are those in which no decision has been rendered at one court session and action is deferred to a later one. New cases follow and comprise the bulk of the cases decided in each session, while cases prosecuted by the King's or State's Attorney are found at the end of records for the session or at the appropriate alphabetical location. Until June 1744, non-adjudicated cases were interfiled with cases for which decisions were made. Beginning at that term of the county court, however, no docket cases come last and are filed in alphabetical order. The pattern for February sessions is slightly different. Adjourned cases are heard first, followed by numerical cases, and beginning in June 1744 followed by no docket cases. A court session may, therefore, have three or four alphabetical arrangements of documents, for reviews, continuances, new cases, and no docket cases.

The arrangement changed in 1769 with the disappearance of record books for *Trials*. *Files* are then arranged in a single alphabetical sequence, mixing continuances, new cases, and non-adjudicated cases. In

<sup>8</sup> Five boxes of manuscript *Dockets* exist for the years 1730-1835. Since the same information is included in the volumes of *Trials* before each session of the court, it is not recommended that researchers spend time consulting this source.

<sup>9</sup> *Thomas Wait v. Nathaniel Beckwith*, NLCC Files, Nov. 1741, Box 70, folder 5, no. 570; *Titus Hurlbut v. William Lamson*, *Ibid*, Feb. 1742, Box 70, folder 21, no. 230.

<sup>10</sup> For several years after the American Revolution and into the 19<sup>th</sup> century, the pattern was not always consistent, as the February court session sometimes convened in March and the November session in December.

November 1781, however, with the appearance of Vol. 26 of *Trials*, the pre-1769 numerical pattern re-emerges. No Docket cases cease with the June 1811 court, except for the December 1816 and November 1822 sessions. For the period between June 1817 and June 1835, all cases are filed in alphabetical order, but the ordering reverts to numbers in December 1835 with the beginning of separate Docket volumes.

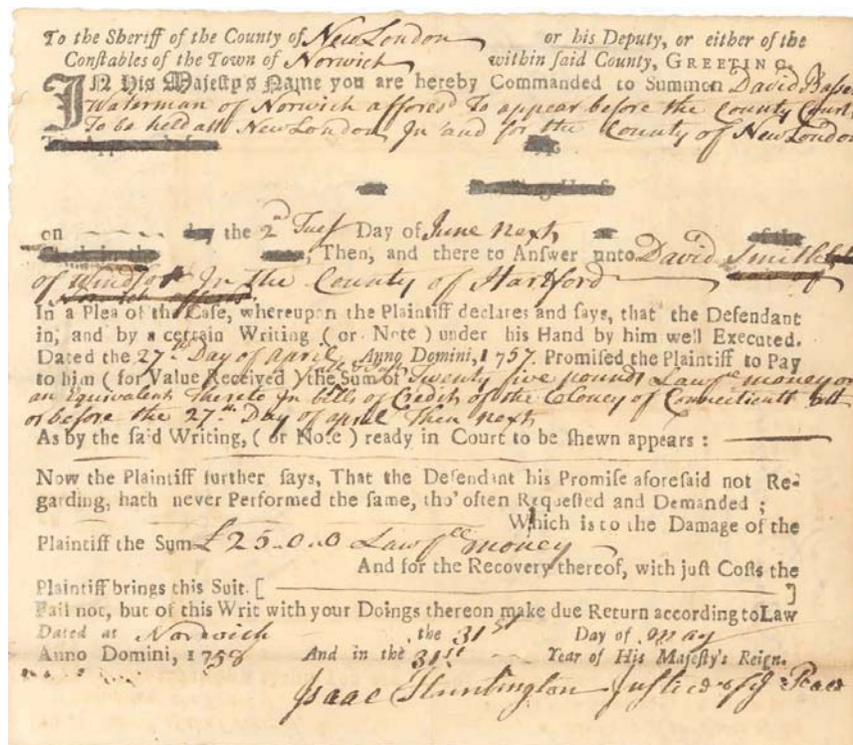
Please note that footnote citations include the case number, provided that the lawsuit was filed in numerical order. In instances in which cases are located in No Dockets or the records for entire court sessions are arranged in a single alphabetical order, the case number is not included.

### Scope and Content

Researchers need to be aware in studying these records that the spelling of surnames often varies. It could be Ames or Eames, Hide or Hyde, Lathrop or Lothrop, Maynor, Maynard, Minerd, or Mynard, Right or Wright, or Waterhouse, Waterus, or Watrous, to cite just a few examples.

The first file document dates from 1691, but *Files* only begin to be frequent enough to adequately supplement and expand on the information found in the *Trials* volumes in the first decade of the eighteenth century. As a general rule, *Files* contain much more information about cases than can be found in bound volumes of *Trials*, but, as indicated previously, it is necessary for researchers to consult both sources in order to obtain complete overviews of cases.

### Illustration 1



**Debt by note, David Smith v. David Basset Waterman, June 1758<sup>11</sup>**

<sup>11</sup> Ibid, June 1758, Box 109, folder 10, no. 116.

Many subjects are addressed in the records of the New London County Court. The overwhelming majority of cases for much of the history of the court, around 85-90%, consist of suits for debt – debt by bond, debt by book, and debt by note. By the end of the first quarter of the 19<sup>th</sup> century, however, State criminal prosecutions increase both in number and percentage of the total for each session. In many instances, the nature of the bond, book, or note is not found in the records. Occasionally, however, the file papers state that the debt by note or writing, as an example, is for the delivery of a named product or service in return for value received by the defendant. Although debt cases appear routine and uninteresting to the uninitiated, they contain much valuable information. The writ or summons, often a printed form with spaces filled in by hand, gives the name of plaintiff and defendant, the nature and amount of debt, the date of the writ, and the name of the justice of the peace, assistant, or clerk who completes and signs the document.

The reverse of the writ generally contains a note by a constable of sheriff's deputy confirming that the document has been served on the defendant and it includes information on how it was served. The constable or deputy may leave a copy of the writ at the defendant's usual place of residence, may read it out in the defendant's presence, may take an appearance bond to make certain that the defendant responds to the summons, may attach land or personal property to cover twice the amount of the debt to insure the defendant's appearance, or may take an insolvent defendant off to jail. A typical attachment of land is as follows: "I attached Two pieces of Land Situat[ed] in the North Society of Lyme at a place Known by the Name of Joshuas Town and is bounded (viz) first piece Southerly by Eight Mile River East by Land belonging to Elisha Sheldon, Esqr Northerly part by a Ledge & partly by Land belonging to Ezra Brockway & westerly by Ezra Brockway."<sup>12</sup> The reverse of the summons also includes docketing information, often a listing of constable expenses, and sometimes pleadings by lawyers representing one or both parties in the case.

In cases of debt by note or writing, often the original contract between the two parties is included in court documentation. The note is signed by the person borrowing the funds or promising to perform the service and usually contains the signatures of two witnesses. This information is valuable for those interested in studying literacy in early Connecticut and the nature of personal relationships between the two parties. Debts by bond often include the original bond and debts by book sometimes provide a list of debts owed by the defendant to the plaintiff. These lists, although representing a distinct minority of book cases, contain valuable information detailing the goods purchased from a shopkeeper or merchant.

Once in a while an unusual debt case is brought before the court, as in *William Kerr v. Roland Rogers*, July 1753. The plaintiff sold Rogers a yoke of oxen and accepted a note for £35. When Kerr attempted to collect the debt, Rogers claimed that since he was a minor under the age of twenty-one and still under the government of his mother, the note was null and void. The plaintiff pointed out that Rogers was only about twenty days short of his twenty-first birthday at the time the note was written and, moreover, was the father of three children. The defendant lost and was forced to pay the debt together with court costs of £2-1-8.<sup>13</sup> In another case, *Joseph Rogers v. Jonathan Beckwith*, November 1758, by debt of note, the plaintiff sued for £2-15 on neglect of defendant to make 40 rods of 6-rail-fence for Rogers.<sup>14</sup> The court received evidence that in 1754 Daniel Beckwith was appointed by the Lyme selectmen as overseer over his son Jonathan under terms of the statute "for Relieving & ordering Idiots Impotent Distracted & Idle Persons."

<sup>12</sup> *Harvey v. Phelps*, NLCC Files, Nov. 1768, Box 148, folder 17. In another example, *Coit v. Martin*, in order to make certain that the defendant appeared to answer a debt by book for £45, the deputy attached on ton of hay, a hogshead of oats, 2 casks potatoes, and one "Right in a pew in the meeting house in Chelsea Parish." *Ibid*, Feb. 1774, Box 167, folder 4, no. 81.

<sup>13</sup> *Ibid*, July 1753, Box 97, folder 14, no. 6.

<sup>14</sup> Currency was denominated in pounds, shillings, and pence until the late 1790s. Each unit was separated by a dash, thus, £2-17-5 equals 2 pounds, 17 shillings, and 5 pence. Twenty shillings made up a pound and twelve pence a shilling. Some debts are counted in fractions of pennies, called farthings. Four farthings make one penny. Connecticut depended almost entirely on paper currency, called bills of credit. The colony's original currency, called old tenor, had seriously depreciated by the 1740s, so that it took five to ten pounts of old tenor to be equivalent to one pound of lawful money.

Since the defendant was under the care of an overseer, he had no right to contract debts and Beckwith recovered court costs of £2-17-5.<sup>15</sup> Similarly, Daniel Worthington of Montville successfully sued the town of Colchester in 1806 to pay for medical and funeral expenses for Daniel Brown, a foreigner who was a soldier in Burgoyne's army captured in October 1777. He got drunk and died at the house of the plaintiff.<sup>16</sup> In another case that same session, the leaders of the Masonic Lodge in New London sued Moses Warren of Lyme for \$24 for nonpayment of his share in purchasing a lot for a hall.<sup>17</sup>

In the 19<sup>th</sup> century, the number of debt cases for modest sums is partially superseded by smaller numbers of suits filed by merchants and store keepers, sometimes containing detailed lists of precisely what is owed for each product purchased. In March 1817, Joshua R. Warren and Peter Comstock of Lyme sued John A. Smith of Waterford for \$90 of book debts for molasses, nails, pearl ash, rum, sugar, tobacco, and notes paid by the merchants to a number of men and Ezra Maynard of Lyme for \$80 on an unspecified "Balance due on Book."<sup>18</sup> In addition, many defendants defaulted in the majority of debt cases and, beginning in 1809, such are usually found in separate bound volumes called Defaults.

Debt cases provide extremely useful information for those seeking to gain an understanding of the economy of local towns and patterns of trade. Merchants and shopkeepers from New London County purchased goods from merchants located primarily in Boston, New York City, and Newport. By the mid-eighteenth century, however, merchants from the ports of New London, Norwich, Lyme, Saybrook, Groton, and Stonington had dealings with merchants in the West Indies and these trade patterns are well documented in court papers. In addition, the economic lives of small shopkeepers can also be documented.

At a time when few, if any, records for New London County merchants exist, court records provide extensive information on patterns of trade and economic development. Most traders imported goods from merchants in larger cities, but a surprising amount of trade with the West Indies existed, together with lesser amounts with the Canadian Maritimes and the British Isles. Court records from the beginning of the eighteenth century to 1774 contain around 360 cases concerning the shipping trade and most give the name of the vessel. Researchers can get a bird's eye view of the subject from them. In addition, *Files* contain more than 160 cases in which the defendant, serving as the plaintiff's bailiff and receiver, failed to uphold his part of the agreement.<sup>19</sup> In a November 1774 case, *Jeremiah Colver v. Alpheus Davison*, the plaintiff asked for a reasonable account of the time the defendant was his bailiff and receiver for one hogshead of rum to be transported from New London to New York City.<sup>20</sup>

The following cases provide an overview of the kinds of material on trade that can be found in New London County Court *Files*. *James Rogers v. Richard Durfey*. In 1738, the defendant, owner of the sloop *Two Josephs*, was about to embark on a voyage from New London to Ireland, from Ireland to Surinam, and back to New London. The defendant hired Rogers' apprentice Edmund Haynes to serve as ship's cooper, but failed to pay the master wages due of £50-17 shillings.<sup>21</sup> *William Allen, Ralph Cross, and Jabez True*, as joint owners of the sloop *Elisabeth* worth £500, *v. Nathaniel Milbury*. The plaintiffs hired the defendant to be master of the *Elisabeth* in April 1755 to transport English troops from Massachusetts to Nova Scotia, to take 240 Acadians to Virginia, and then return to Massachusetts. Milbury, however, after delivering the French neutrals to Virginia, sailed to the West Indies and during the voyage lost all the ship's anchors and

<sup>15</sup> NLCC Files, Nov. 1758, Box 110, folder 1, no. 27.

<sup>16</sup> Ibid, Box 269, folder 21, no. 267.

<sup>17</sup> *Samuel Green et al v. Moses Warren*, Ibid, Box 270, folder 3. For other cases concerning the New London Masons, see June 1807, Box 272, folder 12, no. 59 and Box 273, folder 10, no. 354.

<sup>18</sup> Ibid, March 1817, Box 317, folder 9, no. 110; Box 317, folder 16, no. 188.

<sup>19</sup> Not all bailiff and receiver cases concern trade. In one November 1774 case, *Samuel Smith and Isaac Smith v. John Pettet*, the Smiths asked for a reasonable account of the time the defendant served as bailiff and receiver for rental of a house, shop and land for a three and one half year period owned by the plaintiffs. The plaintiffs asked for £30 damages. Ibid, Nov. 1774, Box 170, folder 8.

<sup>20</sup> Ibid, Nov. 1774, Box 169, folder 11. Cases that lack document number are *No Docket* cases.

<sup>21</sup> The plaintiff failed to make an appearance when the case was called. Ibid, Feb. 1740, Box 61, folder 6, no. 61.

cables and allowed the sails and riggings to rot. The plaintiffs sued for £300 damages and recovered judgment for £72.<sup>22</sup> *Abiel Cheney and Amasa Ives v. Lemuel Butler*. In July 1770, the plaintiffs from Norwich, owners of the schooner *Joly Robbin*, and defendant from Chilmark, Mass. made an agreement by which the plaintiffs would carry the defendant, four passengers, tools, and merchandise to Martha's Vineyard and the defendant would proceed to use the vessel on a fishing voyage off Nantucket. The defendant, however, failed to go on the fishing voyage and was found guilty to damages of £30.<sup>23</sup> In June 1769, the county court heard the case of *John Bolles v. James Mumford*. The plaintiff of Charlestown, Mass. sued the defendant, stating that he his brother Robinson Mumford, traders in company at Martinique, had refused to pay an order to Bolles for 800 Spanish milled dollars. The court found the defendant guilty and ordered him to pay the plaintiff £142-0-3 damages and £1-12-9 costs. The original bill of exchange is included in the documentation.<sup>24</sup>

Information on merchants and trade is equally extensive for the period after the American Revolution, although the number of court filings per year for the period 1810-55 is less than half the rate for 1781-1809, a clear reflection of the decline of overseas trade after the War of 1812.<sup>25</sup> To the extent that court cases in any way serve as a proxy for overall trade, then the decade 1800-09 was the time of greatest mercantile activity from New London County ports. The court heard 136 cases during the time period. Although the bulk of trade followed pre-war patterns, a handful of lawsuits featured more exotic locations, such as Canton, China (1789); Anticipation Island in the "South Sea" (1820) Cape Town, South Africa (1835); Matamoros, Mexico (1836); New Zealand (1844); Tristan de Cunha (1844); and California (1850).<sup>26</sup>

The court also heard seventeen suits brought by ship masters, captains, or owners against mariners who violated the federal statute for regulating seamen in merchant service, most between June 1795 and December 1807. In the first such case, Edward, John, and Robert Hallam of New London sued Willard alias William Miller of Stonington. Miller had contracted to sail on the *Hope* for a voyage from New London to Liverpool and return for \$15 per month. The owners advanced Miller one month's wages, but he deserted prior to sailing. The plaintiffs recovered £4-10 damages and £3-5-6 costs.<sup>27</sup> Also discovered were some sixteen lawsuits involving sealing or whaling voyages between December 1820 and June 1851. Three cases date from the June 1835 court session.<sup>28</sup> In one lawsuit, Charles F. Lester and John P. Huntington sued the Union Insurance Company of New London for \$8,000. The *Atlas* encountered a violent storm in the South Atlantic, was severely damaged, and sailed to the Cape of Good Hope for \$3,000 of repairs. The court found for the plaintiffs and the insurance company appealed to the Superior Court.

The records contain around 285 cases for the post-Revolutionary era in which plaintiffs sued parties who served as their bailiffs and receivers. Lawsuits that specifically relate to merchant shipping are not included in this total. Five cases brought before the June 1810 court typify the pattern. Two concerns notes and money and three goods, wares, and merchandise. One involved the transport and sale of 5,000 pounds of cheese in the West Indies and a second brandy, rum, sugar, and other items to damages of

<sup>22</sup> Ibid, June 1758, Box 109, folder 2, no. 18.

<sup>23</sup> Ibid, Nov. 1774, Box 169, folder 10.

<sup>24</sup> Ibid, June 1769, Box 150, folder 19, no. 82.

<sup>25</sup> The average number of cases filed 1781-1809 was 10.75 per year and that for 1810-55 was 4.6. The decline really begins with the 1814 court sessions, as those for 1812-13 consisted primarily of incidents that took place before the war.

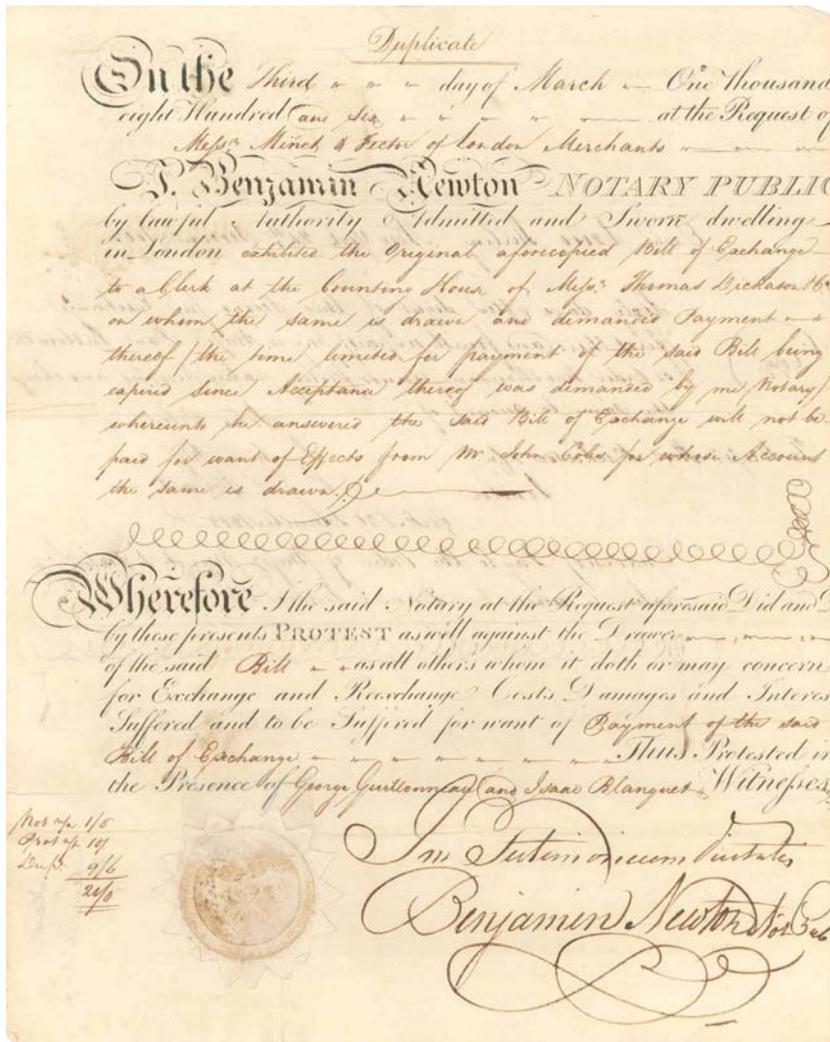
<sup>26</sup> *John Pintard v. John Brown and Samuel Francis*, NLCC Files, Dec. 1789, Box 216, folder 17, no. 254; *Asa Lee v. William A. Fanning and James P. Sheffield*, Dec. 1820, Box 335, folder 5; *Silas Beebe et al v. Charles Fordham*, June 1835, Box 380, folder 17; *Robert Furlong, Jr. v. John C. Edwards*, Nov. 1836, Box 386, folder 3, no. 42; *Joseph Lawrence v. William Mayhew*, Feb. 1844, Box 407, folder 11, no. 41; *Charles F. Smith v. William McLane*, June 1844, Box 408, folder 11, no. 150; *William Lyon v. Joseph A. Smith et al*, June 1850, Box 422, folder 1, no. 714.

<sup>27</sup> Ibid, June 1795, Box 233, folder 8, no. 91.

<sup>28</sup> *Silas Beebe et al v. Charles Fordham*, Ibid, Box 380, folder 17; *Christopher B. Chapell v. George Churchill*, Box 380, folder 20; and *Charles F. Lester and John P. Huntington v. Union Insurance Company*, Box 381, folder 11.

\$4,000.<sup>29</sup> As economic activity became more dominated by larger firms, bills of exchange became more common and some handsome samples are occasionally found in the records, as in *David Ludlow et al v. John Coles*. The New York merchants sued to collect \$12,000 per bill of exchange. The defendant defaulted and the plaintiffs recovered \$19,688.52 damages and \$13.24 costs.<sup>30</sup>

**Illustration 2**



**Notarized statement re bill of exchange,  
part of the documentation in *David Ludlow et al v. John Coles***

One of the major trends that occurs in the period after 1790 and is reflected in court records is the growth of corporations, like banks, insurance companies, turnpike companies, cotton manufactories, and railroads. The General Assembly chartered the first banks in 1792. Bank lawsuits begin in November 1794 when the Union Bank of New London sued ten debtors. The records contain around 400 lawsuits involving banks. Although some thirty banks are represented by at least one court case, a handful of banks

<sup>29</sup> *Nathan Allyn v. John Sterling*, June 1810, *Ibid*, Box 286, folder 4, no. 175; *William H. Savage v. Nathan Allyn*, *Ibid*, June 1810, Box 286, folder 4, no. 156.

<sup>30</sup> *Ibid*, June 1807, Box 272, folder 8, no. 19.

from the region predominate. In addition to the Union Bank, they consist of the Norwich Bank, Washington Bank (Westerly, Rhode Island), New London Bank, Stonington Bank, Thames Bank (Norwich), Whaling Bank (New London), Merchants Bank (Norwich), Quinebaug Bank (Norwich), and Jewett City Bank (Griswold).<sup>31</sup>

Insurance companies, both marine and fire, are represented in around sixty cases. The first two in November 1803 involve the Norwich Marine Insurance Company. The owners of the sloop *Thetis* sued the company for \$1,000 to pay for damages suffered by the vessel on a voyage from Gibraltar to Savannah off the coast of South Carolina. The court deemed the declaration of the plaintiffs insufficient and they appealed to the Superior Court.<sup>32</sup> In the second case, the company sued Christopher Raymond of Montville on a debt by note.<sup>33</sup> In the bulk of the lawsuits, plaintiffs seek compensation for losses at sea. By the 1840s, however, the cases concern fire losses, as in *Langdon & Smith v. Merchants and Farmers Fire Insurance Company* of Worcester for a fire loss of more than \$800.<sup>34</sup>

Corporate growth in 19<sup>th</sup>-century Connecticut finds reflection in close to 100 cases involving cotton manufacturing, the earliest dating from the War of 1812 era.<sup>35</sup> The first case found dates from June 1813, *Danielson Manufacturing Company v. James N. Barber*, a debt by book for cloth and thread.<sup>36</sup> The famous pioneer Samuel Slater is a defendant in a covenant broken lawsuit over running the machinery at the Jewett City Cotton Manufacturing Company.<sup>37</sup>

The early national period was marked by great interest in transportation improvements, first by turnpike companies, then by canals, and thirdly by railroads. Court files contain more than eighty lawsuits concerning highways and turnpike companies. In the former category, defendants were usually towns that had violated a Connecticut statute, "Providing for Altering, Regulating & Mending High Ways," as in a December 1788 suit in which Jacob Avery sued the town of Groton to collect £30-7 damages for a highway laid out more than a decade before that crossed the plaintiff's lands.<sup>38</sup> In some twenty-six cases, a turnpike company was party to a lawsuit, most involving the Hartford and New London Turnpike Company (9 cases), Norwich & Woodstock Turnpike Company (4 cases), and New London & Lyme Turnpike Company (4 cases). In addition, the court heard some half dozen lawsuits involving the New London & Newport Assurance Stage Company between December 1801 and November 1802, about a dozen cases concerning bridges and toll bridges, about the same number with the Norwich Steam Boat Company, and two June 1824 ones with a horse team ferry.

Railroads destroyed the turnpike companies in less than a generation. Between 1837 and 1855, some fifty presentments involving railroads were filed before the county court. The bulk concerned three railroads; the Norwich & Worcester Rail Road Company (26 cases), New London, Willimantic and Palmer Rail Road (12), and New York, Providence, and Boston Rail Road (7). Corporate records for many of the first railroads are virtually non-existent, thus a small number of court cases potentially have great research value.

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<sup>31</sup> The following list represents the dates of the first cases involving the named banks: Union Bank (Nov. 1794), Norwich Bank (Dec. 1799), Washington Bank (Mar. 1802), New London Bank (June 1817), Stonington Bank (Nov. 1823), Thames Bank (March 1827), Whaling Bank (Feb. 1834), Merchants Bank (June 1835), Quinebaug Bank (Feb. 1837), and Jewett City Bank (June 1840).

<sup>32</sup> *Elisha Tracy, Charles Carew, Jeremiah Harris, and Augustus Perkins v. Samuel Woodbridge, President Norwich Marine Insurance Company*, NLCC Files, Nov. 1803, Box 262, folder 11, no. 223.

<sup>33</sup> *Norwich Marine Insurance Company v. Christopher Raymond*, Ibid, Nov. 1803, Box 262, folder 19.

<sup>34</sup> Ibid, Nov. 1853, Box 431, folder 16, no. 185.

<sup>35</sup> The number represents an extremely conservative figure because it does not include lawsuits involving corporations that cannot be positively identified as cotton factories and those in which individuals so associated are plaintiffs or defendants.

<sup>36</sup> NLCC Files, Ibid, June 1813, Box 298, folder 15, no. 114.

<sup>37</sup> Ibid, *Amos Cobb v. Samuel Slater and John Slater*, Ibid, Nov. 1832, Box 370, folder 2. See Illustration 20.

<sup>38</sup> *Jacob Avery v. Groton*, Ibid, Dec. 1788, Box 210, folder 18, no. 122.

A great variety of other subjects are discussed in the *Files* and it is possible only to provide a hint of the rich resources found in these records. After debt cases, the second largest quantity of cases found in New London County Court records revolve around land disputes. The controversy may be over inheritance to land, the seisin and possession of land,<sup>39</sup> leases to farms or dwellings, or such other subjects as disputes over fencing between two property owners and trespass.

Partition of land cases has particular relevance to those with a genealogical perspective because the names, relationships to other family members, and residences of all parties in the lawsuit are delineated.<sup>40</sup> To cite just one example, the court heard an extremely complex case involving the grandchildren of Joseph Rogers (1646-1697) of New London in February 1742. The plaintiffs consisted of five heirs of John Rogers, deceased, son of Joseph, and the defendants were three heirs of James Rogers, deceased, son of Joseph. Also named in the case were the other seven children of Joseph Rogers and a number of heirs of these children.<sup>41</sup>

In the February 1767 case of *Richard Deshon et al v. Lancaster Comstock*, the plaintiffs sued for the seisin and possession of a lot of land or messuage at Black Point in Lyme, property that originally belonged to John Prentiss the elder, together with £100 damages.<sup>42</sup> The plaintiffs recovered judgment and the defendant appealed.<sup>43</sup> In a second case that same session, *William Hilliard v. Ebenezer Cobb*, the plaintiff sued for the seisin and possession of twelve rods of land and a dwelling house from which he had been removed by force the preceding May. The declaration of the plaintiff was deemed to be insufficient and the defendant recovered court costs.<sup>44</sup>

An example of a dispute over a lease is found in November 1773, *Mary Pierpont v. John Denison 2d*. In May 1771 the defendant leased a 40-acre farm in Stonington for two years for rent of 24 shillings per year, but he never paid the rent. The defendant defaulted and the plaintiff recovered £2-8 debt and £1-9-9 costs.<sup>45</sup> Many lawsuits over leases were listed in the records as covenant broken, as in two June 1818 cases. In the first, William Keeney of Waterford sued to collect \$70 in unpaid rent on leased land in Montville, while the second concerned a fifty-year lease for an iron works, mill dam, and stream in Lyme.<sup>46</sup>

The records contain hundreds of cases of trespass. Many consist of lawsuits for illegal cutting of timber, tearing down fences, and cutting and harvesting crops on the land of plaintiffs, although in other instances, the trespass was assault and battery, defamation, theft, or some other crime.<sup>47</sup> In one of many accusations of illegal cutting of timber, *Samuel Willard v. Abraham Andrus*, the court found the defendant guilty of cutting down seven good white oak trees from the plaintiff's land in Saybrook.<sup>48</sup> In *John Rogers v. Samuel Davis*, the defendant was accused of breaking down walls of a cellar that was going to be part of a house. The plaintiff recovered £65 damages.<sup>49</sup> In November 1733 case, William Ely of Lyme charged William Brockway with trespass, specifically cutting three acres of grass on the plaintiff's land "near the

<sup>39</sup> Seisin is the legal term for possession of a freehold estate. *Black's Law Dictionary*, Seventh Edition (St. Paul, Minn.: West Group, 1999), 1362.

<sup>40</sup> Most partition lawsuits between 1745 and 1832 are found in *Papers by Subject: Partition of Lands*, Box 84, folders 1-4.

<sup>41</sup> *Nathan Howard et al v. James Rogers et al*, NLCC Files, Feb. 1742, Box 70, folder 20, no. 219.

<sup>42</sup> Messuage, a dwelling house, especially one with adjacent outbuildings, gardens, and lands.

<sup>43</sup> NLCC Files, Feb. 1767, Box 143, folder 2, no. 15.

<sup>44</sup> *Ibid*, Feb. 1767, Box 143, folder 9, no. 139.

<sup>45</sup> *Ibid*, Nov. 1773, Box 166, folder 14.

<sup>46</sup> *William Keeney v. Reuben Moore*, *Ibid*, June 1818, Box 325, folder 10; *Richard McCurdy and Elizabeth Stewart v. Samuel Green et al*, June 1818, Box 325, folder 12.

<sup>47</sup> In an example of a trespass for theft, Lemon Prime accused Japhet Morgan of breaking into the house with force and arms and carrying away clothes and household goods worth \$35. The defendant was found guilty and assessed \$2 damages and costs of suit. *Ibid*, Mar. 1824, Box 345, folder 12.

<sup>48</sup> *Ibid*, Nov. 1732, Box 36, folder 10, no. 263.

<sup>49</sup> *Ibid*, June 1732, Box 34, folder 13, no. 6.

mouth of Eight Mile River.” In another instance, *Richard Manwaring* (New London) *v. Jonathan Beckwith* in June 1740, the defendant was accused of borrowing an ox and working it too hard in the heat, so that it subsequently died.<sup>50</sup> In *Samuel Hull v. Thomas Trapp* demanding £100, the plaintiff stated that the defendant owned a dangerous mare prone to kick and bite people. Despite this knowledge, the defendant carelessly let the mare loose at Norwich Landing, it kicked the plaintiff’s four year old daughter and broke her skull. She died two months later. The case was withdrawn, perhaps because the defendant agreed to pay £10 in medical costs.<sup>51</sup> In 1827, Peter and Henry A. Richards sued Lorenzo Dow of Montville. They claimed that the defendant had expanded a huge “Cotton Manufactory” on a stream they shared and so enlarged the dam as to damage the plaintiffs’ grist mill to \$2,000 damages.<sup>52</sup>

Another significant type of case consists of lawsuits against or by county sheriffs, deputy sheriffs, and town constables, the men who served summonses and writs of execution. If a legal officer failed to properly serve a writ or summons, then he could be sued. In one such case, Jeremiah Lattouche and Joseph Haynes of New York sued Constable Richard Burch of New London in June 1740 for £270 damages due to his failure to serve a writ. The court found the defendant guilty, the plaintiffs were to recover £270, and the defendant appealed.<sup>53</sup>

The November 1755 saw the case of *Edmund Quincy* (Braintree, Mass.) *v. Christopher Christophers*, sheriff of New London County. The plaintiff charged that Christophers had failed to recover 186 ounces of silver per writ of execution against John Whiting and John Hallam of Stonington. Christophers confessed judgment and was ordered to pay to the plaintiff 175 ounces of silver.<sup>54</sup> In other instances, following a writ of execution, personal property or livestock of a defendant was seized to pay the judgment and legal costs. Normally, the constable or deputy sheriff seized the property and turned it over to a neighbor on the promise that the property would be delivered to the constable at the town signpost in thirty days at which time the property would be sold at auction. In November 1772, constable Prosper Wetmore of Norwich sued Daniel Kelley and Lemuel Warren for the return of ten hundred weight of iron valued at £20 that the plaintiff had seized by a writ of execution against Joseph Kelley. Wetmore recovered judgment for £14-6-2 damages and £1-1-7 costs.<sup>55</sup> Or, a constable or deputy could be accused of false arrest, as in the case of *Gideon Fitch* (Norwich) *v. Nehemiah Waterman, Junr.* “Being in ye Peace of God,” the defendant with force and arms arrested the plaintiff, took him five miles to jail, and detained him for three days. Fitch demanded £200 damages, but the pleading of the defendant was deemed sufficient and the plaintiff appealed.<sup>56</sup>

The court issued hundreds of writs of scire facias summoning defendants and their sureties to appear to answer charges brought against them.<sup>57</sup> Many writs were issued in fornication cases, as in November 1731 against Lydia Chapman of Saybrook for failure to answer a summons to appear.<sup>58</sup> Then there was the case of *Dom Rex v. Mary Fanning*, wife of Jonathan Fanning, Jr., for incontinency before marriage. Mary did not appear before the court and neither did her husband and a writ of scire facias was issued against Jonathan, Jr. as surety for his wife’s appearance.<sup>59</sup> Or, *Dom Rex v. John Stocker*. Stocker from Middletown was accused of abusing and threatening Joshua Raymond, Esq. of New London. He failed to appear, his bond was forfeited, and a writ of scire facias issued.<sup>60</sup>

<sup>50</sup> Ibid, Nov. 1733, Box 38, folder 14, no. 258; June 1740, Box 64, folder 14, no. 335.

<sup>51</sup> Ibid, Nov. 1769, Box 152, folder 12, no. 246.

<sup>52</sup> Ibid, Nov. 1827, Box 355, folder 15. The plaintiffs lost and appealed to the Superior Court.

<sup>53</sup> Ibid, June 1740, Box 61, folder 15, no. 41.

<sup>54</sup> Ibid, Nov. 1755, Box 103, folder 9, no. 131.

<sup>55</sup> Ibid, Nov. 1772, Box 163, folder 9.

<sup>56</sup> Ibid, Feb. 1764, Box 131, folder 6, no. 172.

<sup>57</sup> Scire facias is a writ requiring the person against whom it is directed to appear and to show cause why a judgment against a person should not be revived. *Black’s Law Dictionary*, 1347.

<sup>58</sup> NLCC Files, Nov. 1731, Box 33, folder 12, no. 29.

<sup>59</sup> Ibid, June 1741, Box 66, folder 12, no. 19.

<sup>60</sup> Ibid, June 1753, Box 97, folder 4, no. 179.

Illustration 3

To the Sheriff of the County of New-London or his Deputy  
or Constable of New-London in P. County greeting.  
Whereas Mary Rogers of New-London aforesaid, with her Surety  
Jonathan Rogers of P. New-London, Son of Sam<sup>l</sup> Rogers Dece<sup>d</sup>  
was Bound in a Recognizance of Ten Pounds to the Justice  
Judge of the County of New-London for the Appearance of  
the P. Mary at the County Court in New-London in June  
Last past, to Answer for Fornication by her Committed, as  
P. Recogn<sup>d</sup>. and Return of the Justice on file, and from  
P. June the Case was Continued to the County Court hold<sup>n</sup>  
at Norwich November fourth Tuesday 1738. And then the  
P. Mary was Called in Court three times, But appear<sup>d</sup>  
not, as also P. Jonathan Rogers Surety as aforesaid  
was Called in Court three times, to Bring into Court P.  
Mary, whom he undertook to have there that day, But  
he Bro<sup>u</sup>t her nott, Whereupon the Court then Order<sup>d</sup>  
a Writ of Scire facias to Issue forth against  
the P. Jonathan Rogers to Appear at the County  
Court in New-London in June Next to Show Cause  
why Judgm<sup>t</sup>. shall not be affirmed against him as  
he is Surety aforesaid for P. Ten Pounds with Additionall Cost  
and why Execution shall not go forth for the same  
Accordingly.  
That And Therefore in His Majesty's Name to Com<sup>mand</sup>  
mand You to Cause the P. Jonathan Rogers, to know that he  
shall be at the County Court to be holden at New-London on the  
second Tuesday of June Next to answer the County Justice  
aforesaid, in his plea aforesaid, to Show Cause if any he has, why  
Judgm<sup>t</sup>. shall not be entered up and affirmed against him, as  
he is Surety aforesaid, and why Execution shall not go forth  
against him for the same Accordingly with the Addi<sup>tionall</sup>  
Cost, hissof, Fail to nott and Return this Writ to  
your doing, therein, as the Law directs dated in New  
London the 27 day of April A. D. 1739.  
Signed p. Ord<sup>r</sup> of Court Daniel Coit Clerk

**Writ scire facias in *County Treasurer v. Jonathan Rogers* against  
Jonathan Rogers for failure of Mary Rogers to appear in fornication case<sup>61</sup>**

Similar in nature are lawsuits instituted by the country treasurer against defendants and their sureties who failed to appear at court and forfeited their bonds. The February 1848 court heard five suits filed by Jacob W. Kinney against defendants and sureties who failed to appear on charges of adultery and assault.<sup>62</sup> In an earlier case, Sheriff Prosper Wetmore sued the administrators of the estate of Jason Fargo of Norwich, former jail keeper, for £1,000 for allowing two prisoners to escape. The plaintiff recovered almost £20 damages and court costs.<sup>63</sup>

The records of the New London County Court contain for the pre-Revolutionary period 550 cases that can best be characterized as sexual crimes. The accusation may be for fornication, adultery, incontinence before marriage, lascivious carriage, or keeping a bawdy house.

<sup>61</sup> Ibid, Nov. 1739, Box 58, folder 18, no. 15.

<sup>62</sup> Ibid, Feb. 1848, Box 415, folders 9-10, no. 614-18.

<sup>63</sup> Ibid, *Prosper Wetmore v. Lucy Fargo and Edward Wentworth*, Feb. 1784, Box 186, folder 2, no. 436.

Two patterns are typical, particularly for the fornication cases that make up the bulk of these cases. The first constituted lawsuits instituted by the King's Attorney against a female for a crime, and second, a wronged female suing the male source of her troubles. Lurana Knight was found guilty of fornication in November 1723 and sentenced to be fined or whipped.<sup>64</sup> In June 1738, *Mary Leffingwell v. Samuel Story, Jr.*, the plaintiff stated that she was begotten with child by fornication by Story. The court found Story guilty the previous November, but the defendant asked for a review and this time the court found for the defendant.<sup>65</sup> Atypical, however, is the case of *Grace Hewitt v. Phineas Stanton, Jr.*, both of Stonington. Grace charged that the defendant had promised to marry her and that the couple had courted, but that "the Pl[aintiff] in an unguarded hour yielded to his Importunities in the gratification of his unlawful Desires." She became pregnant, her intended deserted her, and Grace sued for £500 damages. The court agreed with her claim and ordered Stanton to pay £500 damages plus court costs. The defendant appealed his conviction.<sup>66</sup>

The first of about twenty adultery case found in Files dates from November 1710. Lyme grand juror Samuel Peck brought Thomas Bradford and Meriam Mellow, wife of Henry Mellow, before two justices of the peace on suspicion of adultery. One witness testified that she saw "mistris mellow lye upon her back her Cloath [sic] being up; her lower parts was nacked: Leftenant Bradfords briches was downe about his heels and sd Bradford was then Laid upon her." The two defendants were bound over to the county court.<sup>67</sup> One of more than forty lascivious carriage cases is that of *Dom Rex v. Capt. Nichols and Mary Wilcocks*. Nichols was a transient man and master of a ship and Wilcocks, a single woman. The presentment stated that Wilcocks turned up her Clothes and uncovered the most Secret parts of her body" and Nichols "laid his body on her." Nichols pleaded not guilty but the jury found against him. He was fined £15 and whipped ten stripes "on his naked body."<sup>68</sup> In *Dom Rex v. Bathshua Cleveland* (New London), the defendant on the presentment of grand juror Ephraim Brown was accused of maintaining a "house of Bawdery and Incontinency" in the absence of her husband. She pleaded not guilty before a local justice of the peace, was bound over to the county court with a £10 bond of recognizance, failed to appear at court, and thus defaulted on the bond.<sup>69</sup>

The records include almost 400 cases of assault, profane swearing, turbulent and threatening behavior, and riot for the period to the American Revolution. A representative assault and battery case is that of *Gideon Brockway v. Allen Christophers, Caleb Mumford, and George Colefax*. The plaintiff was attacked while walking on the highway to New London with clubs and staves and sued for £100 damages. A jury found the defendants guilty and ordered them to pay the plaintiff £20 damages and £7-7-11 court costs.<sup>70</sup> In the June 1726 case of *Dom Rex v. Thomas Stoddard* of Norwich, the defendant was convicted of "using profain Discourse" and sentenced to the New London house of correction.<sup>71</sup> In a case of turbulent and threatening behavior, Joseph Page of Stonington accused constable Gilbert Fanning with force and arms, viz, clubs, staves, "and other terrifying weapons" of breaking into the plaintiffs barn and seizing two hogs worth £2. The plaintiff asked for £2 damages but the case was withdrawn.<sup>72</sup> A case on the November 1767 docket, *Dom Rex v. Peter Bowdish, Rufus Branch, Samuel Branch, Edward Mott, Nathaniel Larabee, and Alpheus Jones*, all of Preston, saw the defendants charged with "riotously Routously and unlawfully Assemble . . . being armed With Clubs [and] Staves" and assaulting Benjamin Freeman. The defendants confessed their guilt, each were fined 10 shillings, and had to pay court costs of £5-19.<sup>73</sup>

<sup>64</sup> Ibid, Nov. 1723, Box 23, folder 20, no. 102.

<sup>65</sup> Ibid, June 1738, Box 53, folder 1, no. 59.

<sup>66</sup> Ibid, Feb. 1765, Box 138, folder 2, no. 182.

<sup>67</sup> The disposition of the case is unknown because Trials for the period between 1705 and 1710 are no longer extant. Ibid, Nov. 1710, Box 5, folder 7.

<sup>68</sup> Ibid, June 1738, Box 54, folder 10, no. 491.

<sup>69</sup> Ibid, Nov. 1764, Box 135, folder 1, no. 407.

<sup>70</sup> Ibid, Nov. 1771, Box 158, folder 13.

<sup>71</sup> Ibid, June 1726, box 24, folder 9, no. 251.

<sup>72</sup> *Joseph Page v. Gilbert Fanning*, Feb. 1769, Box 150, folder 11.

<sup>73</sup> Ibid, Nov. 1767, Box 145, folder 12, no. 75.

Almost 200 cases of theft have been found and when one combines these with numerous cases of trover and conversion and those in which plaintiffs state that certain real property has gone out of their possession by some unknown means and into the hands of the defendant or property was described as being casually lost, the total is impressive.<sup>74</sup> In *Dom Rex v. Daniel Hammond*, a transient person, the defendant was convicted of stealing £100 of goods from the shop of Zebulon Elliot of New London. He was whipped ten stripes, order to pay court costs of £5-15-7, and pay a 20 shilling fine to the county treasurer.<sup>75</sup> In *Nathaniel Peabody v. Stephen Johnson*, the plaintiff made a plea of trover and conversion for possession of a brown mare, while in *Caleb Gates v. Moses Kimball*, the plaintiff in a plea of trover and conversion stated he was the owner of two-thirds of a sawmill and iron works worth £10 that had by some unknown means come into the possession of the defendant.<sup>76</sup> In June 1772, Henry Babcock of Stonington sued Amos Chesebrough for the return of three bottles of claret that were in the possession of the plaintiff in March, but came into the possession of the defendant and were not returned.<sup>77</sup> Finally there is the case of *John Harvey v. Thomas Anderson*, both of Lyme. The plaintiff casually lost two heifers that had come into the possession of the defendant. He sued for £5 damages.<sup>78</sup>

**Table 1. Civil Cases, 1781-1855**

<b>Decade</b>	<b>Assault</b>	<b>Theft</b>	<b>Trespass</b>	<b>Possession</b>	<b>Trover<sup>79</sup></b>	<b>Other</b>	<b>Total</b>
1781-89	66	26	32	32	68	5	229
1790-99	63	9	49	7	22	13	163
1800-09	119	4	42	12	19	19	215
1810-19	116	5	61	24	9	6	221
1820-29	99	2	78	33	10	11	233
1830-39	92	4	85	41	8	9	239
1840-49	51	1	43	23	6	0	124
1850-55	30	1	47	19	6	4	107
<b>Totals</b>	<b>636</b>	<b>52</b>	<b>437</b>	<b>191</b>	<b>148</b>	<b>67</b>	<b>1,531</b>

The table provides important data on perceived civil wrongdoing. In addition to the number of criminal prosecutions for assault, an almost equal number of civil prosecutions for the same offense exist. The civil assault prosecutions include over sixty instituted by mariners who were beaten by the masters or mates on the high seas, an indication of the violence that could occur on shipboard. The June 1782 court heard three such cases, all against the crew of the sloop *Unity*.<sup>80</sup> Although the records hold a comparatively small number of civil prosecutions for theft, if one adds the number of cases on trespass in which personal property, livestock, timber, and other agricultural products were seized with force and arms; the number of cases in which goods went out of the possession of the plaintiff or were casually lost and came into the hands of defendants; and the cases of trover and conversion and replevin, then the total is impressive. The Other category consists of civil prosecutions for offenses often prosecuted by the State Attorney, like arson, counterfeiting, forgery, gambling, illegal night walking, horse racing, stage performances, and tumultuous carriage.

The records are equally valuable for those with a biographical or genealogical focus, for court records contain a great deal of information on hundreds of people that cannot be found elsewhere. Often a single

<sup>74</sup> Trover and conversion is a common law action for the recovery of damages for the conversion of personal property owned by one person by another. *Black's Law Dictionary*, 1513.

<sup>75</sup> *Ibid*, June 1771, Box 158, folder 4, no. 257.

<sup>76</sup> *Ibid*, June 1756, Box 105, folder 10, no. 63; Nov. 1771, Box 158, folder 18, no. 125.

<sup>77</sup> *Ibid*, June 1772, Box 160, folder 11, no. 101.

<sup>78</sup> *Ibid*, Nov. 1773, Box 166, folder 7.

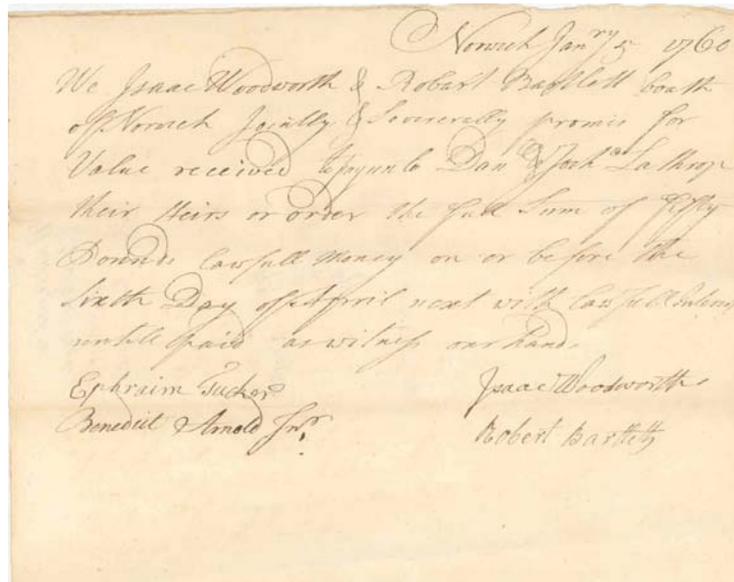
<sup>79</sup> The category includes 93 trover and conversion cases and 55 replevin ones.

<sup>80</sup> *Beebe Denison v. Stephen Martin et al*, NLCC Files, June 1782, Box 174, folder 3, no. 29; *Frederick Denison v. Stephen Martin et al*, *Ibid*, no. 30; *Abel Gore v. Stephen Martin et al*, *Ibid*, no. 38.

case will bring a previously unknown individual to life, but frequently persons are represented by a series of cases, making it possible for the diligent to flesh out an individual's life.

The Rev. Stephen Gorton, pastor of the Baptist Church in New London, has been in part the subject of one scholarly article. The General Meeting of Baptist Churches suspended him in 1756 for "unchaste behaviour with his fellow men when in bed with them." The article reference made to a June 1726 trial before the New London County Court for sodomy, but we learn little else about Gorton.<sup>81</sup> A careful examination of court records, however, reveals that Gorton was plaintiff, defendant, gave a deposition, or is mentioned in some twenty-five cases between 1726 and 1773. Several cases revolve around his role at a Baptist minister and one from February 1773 is of particular interest. In *Stephen Gorton v. Pardon Tabor*, the plaintiff sued the defendant for assault and battery. Gorton claimed that he was attacked with a large stick while preaching from the pulpit and sued for £1,000 damages. The defendant argued that Gorton was guilty of lascivious and sodomitical practices, that in 1767, 25 or 30 male members of the congregation had withdrawn from the church, and that the plaintiff had agreed to no longer serve in his ministerial office provided the male members halted actions of an ecclesiastical council against him. Tabor argued that Gorton had violated this agreement, but was nonetheless convicted. He appealed.<sup>82</sup>

#### Illustration 4



***Daniel Lothrop and Joshua Lothrop v. Robert Bartlett, Nov. 1760***  
 Witnessed by traitor Benedict Arnold and one of his earliest know signatures<sup>83</sup>

Another such person is Benedict Arnold, the father of the Revolutionary War general and traitor, who died a bankrupt and drunkard, and whose fate is supposed to have greatly influenced his notorious son. Arnold was plaintiff or defendant in some 55 cases between 1737 and 1756. One can see the final collapse in 1756, when he was sued for and confessed judgment to debts totaling some £13,000 in depreciated old

<sup>81</sup> Richard Godbeer, "The Cry of Sodom": Discourse, Intercourse, and Desire in Colonial New England" *The William and Mary Quarterly*, Third Series (52) 1995: 277-80. In another case not mentioned by Godbeer, *Samuell Atwell v. Stephen Gorton*, the Baptist minister was convicted of illegally marrying Sarah Atwell and Philip Goss because only justices of the peace or ordained ministers were allowed to perform marriage ceremonies. NLCC Files, June 1727, Box 26, folder 5, no. 231.

<sup>82</sup> *Ibid*, Feb. 1773, Box 163, folder 17.

<sup>83</sup> *Ibid*, Nov. 1760, Box 115, folder 3, no. 156.

tenor currency. In one case, the Norwich constable attached a huge quantity of personal property, property that included Negro servants – Peg, Dinah, Bristo, and Philip. Arnold was ruined and died in 1761.<sup>84</sup>

The records are also valuable for helping to determine identity in an era when several people could share the same name and in listing a trade or profession. The records contain several cases in which Jonathan Rogers sued Jonathan Rogers. In February 1730, for example, Jonathan Rogers, son of James Rogers deceased, and further identified by the word “shop” [blacksmith] brought suit against Jonathan Rogers, son of Samuel deceased, “wood” [wooden leg].<sup>85</sup> The records also tell us that John Beckwith was a shipwright, Richard Brockway a mariner, Benjamin Gale a merchant, William Lamson a carpenter, Joseph Lothrop a glazier, and James Rogers a cooper.

New London County was the center of religious dissent in the colony and the records contain more than 150 cases concerning religious dissenters, be they Anglicans, Baptists, Rogerenes, Separatists, or Shakers, or adherents of the established Congregational Church, some 130 from before the American Revolution.<sup>86</sup> Except for the Rogerene cases, researchers have not examined the bulk of these materials.<sup>87</sup> The number of cases declines after the American Revolution, but a few interesting ones still merit attention.

Baptists and Separatists were not as good as Congregationalists in keeping records, therefore, the documentation found in court records, although scattered in nature, provides significant new information on these often shadowy groups.<sup>88</sup>

Many of the earliest cases found in *Files* concern the Rogerenes. In the first such case in 1698, James Rogers, founder of the sect, was accused of defaming the Reverend Gurdon Saltonstall of New London. “Said John Rogers did Sometime in the month of June last past, Raise a lying false and Scandalous Report, against . . . Saltonstall, and did publish the Same in the hearing of divers persons.” The jury awarded Saltonstall £600 damages.<sup>89</sup> The bulk of cases involving Rogerenes occurred prior to 1726, but one interesting one appears in the records of the February 1786 court session by which time adherents of the tiny sect called themselves Quakers, *John Waterhouse and wife Elizabeth v. John Rogers, 2d*, in a case of assault upon Elizabeth. The defendant claimed that the couple were not legally married, but the plaintiffs replied that they had been wed on December 2, 1770 “according to the forms and Ceremonies which their religious faith required” and produced a copy of the marriage certificate.<sup>90</sup>

The first Baptist case dates to 1704 when a complaint was filed against Benjamin Stark of Groton “for his Entertaining A Ministry or Church Administration in his house.”<sup>91</sup> These meetings led to the formation of the first Baptist church in Connecticut and to additional cases involving this group of dissenters,

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<sup>84</sup> James Kirby Martin, *Benedict Arnold, Revolutionary Hero: An American Warrior Reconsidered* (1997), 27-31. NLCC Files, June 1756, Box 105, folder 3.

<sup>85</sup> *Ibid.*, Feb. 1730, Box 31, folder 3, no. 99.

<sup>86</sup> The State Library has extensive holdings of church records. RG 000, Classified Archives, contains a large quantity of Congregational Church records and lesser quantities of records of Baptist, Episcopalian, and other Protestant denominations. In RG 001, Early General Records, more church records can be found in the Connecticut Archives, Ecclesiastical Affairs. RG 070, Church Records, contains materials from an additional eighty plus Baptist, Congregational, Episcopal, Lutheran, and Methodist churches.

<sup>87</sup> See Denise Schenk Grosskopf, “The Limits of Religious Dissent in Seventeenth-Century Connecticut: The Rogerene Heresy” (Ph.D. dissertation, University of Connecticut, 1999).

<sup>88</sup> The two best studies of Baptists and Separatists are, William G. McLoughlin, *New England Dissent, 1630-1833; the Baptists and the Separation of Church and State*, 2 vols. (Cambridge, Mass., Harvard University Press, 1971); C. C. Goen, *Revivalism and Separatism in New England, 1740-1800: Strict Congregationalist and Separate Baptists in the Great Awakening* (New Haven: Yale University Press, 1962).

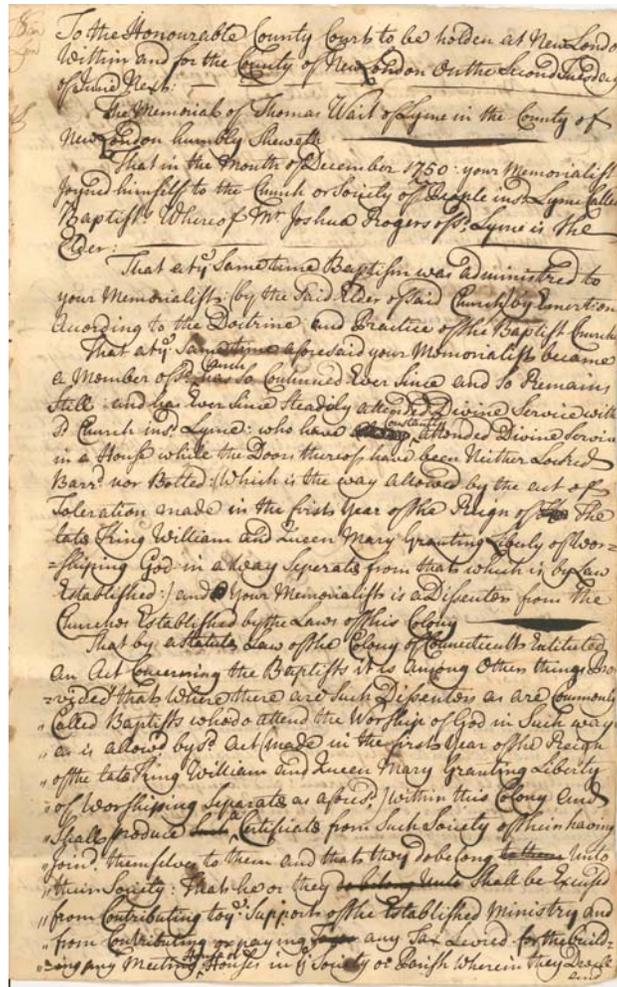
<sup>89</sup> NLCC Files, Sep. 1698, Box 1, folder 7; NLCC Trials, Vol. 7, Sep. 1698.

<sup>90</sup> *Ibid.*, Feb. 1786, Box 196, folder 6, no. 101.

<sup>91</sup> *Ibid.*, Nov. 1704, Box 2, folder 16.

including those involving the settlement of Valentine Whitman, the first pastor.<sup>92</sup> After passage of legislation in October 1729 that reluctantly granted toleration to Baptists, the typical Baptist case concerned efforts of individuals to secure release from taxation to support the established Church.<sup>93</sup> The first such case took place at the June 1731 court meeting, *John Congdon v. Joshua Raymond and John Noble*. Congdon stated that he was a Baptist who attended worship in Stephen Gorton's New London church and argued that he should be excused from taxes supporting the Congregational Church. The defendants seized two cows worth £20 to pay these taxes, but the defendants collected court costs on a legal technicality.<sup>94</sup>

**Illustration 5**



**Memorial of Baptist Thomas Wait, 1752.**<sup>95</sup>

The 1752 memorial of Thomas Wait of Lyme represents a more typical example. He asked to be released from paying taxes to support the Congregational Church in the First Society. He stated that he was a Baptist under the pastoral care of Elder Joshua Rogers and included a document by members of the

<sup>92</sup> Ibid, June 1708, Box 3, folder 4; Sep. 1708, Box 4, folder 10; June 1709, Box 4, folder 13.

<sup>93</sup> Charles J. Hoadly, ed., *The Public Records of the Colony of Connecticut*, Vol. 7 (Hartford: Press of Case, Lockwood & Brainard, 1878), 257.

<sup>94</sup> NLCC Files, June 1731, Box 33, folder 4, no. 167.

<sup>95</sup> NLCC Files, June 1752, Box 93, folder 18, no. 201.

congregation who attested that Wait belonged to that church. Despite a deposition from Stephen Gorton, claiming that Rogers was not in communion with any recognized Baptist church, the court granted the memorial.<sup>96</sup> The last two Baptist cases date from the 1840s at a time when the denomination had achieved respectability. In the first lawsuit, the Central Baptist Society of Norwich sued “The Mechanics and Manufacturers Library Association” for rental of property owned by the church and, in the second, *State v. Samuel D. Tilden* of East Lyme, the defendant was charged with disturbing public worship.<sup>97</sup>

*Files* contain several cases in which Separatists were fined for abusing ministers of the Gospel or charged with profane speech, as when Mary Williams was accused in 1748 of vile and profane discourse for saying, “I am Jesus Christ and you are the Divel, git behind me Satan.”<sup>98</sup> Earlier, in June 1742, however, thirty-two Separatist men and women from the First Society in New London petitioned the court for permission to be classified as sober dissenters and thereby released from paying taxes to support the established church. The petition was continued until November, at which time the court granted twenty-eight males the right to “Soberly and Conscientiously Dissent from the Way of Worship and Ministry Established by the Laws of this Colony,” the first such privilege granted to Separatists in the colony.<sup>99</sup> Separatists, like Baptists, claimed the right to be released from paying taxes to support the established church. In one such instance in 1791, John Lord unsuccessfully sued the Society Committee of the Third Church in Lyme for £30 damages because he was taxed by the society despite having attended Elder Daniel Miner’s church for more than a decade.<sup>100</sup> A year later the State charged transient Hezekiah Goddard with “tumultuous and offensive Carriage” for threatening the Reverend Paul Park of Preston and calling him “an old knave and A lying villain.”<sup>101</sup>

Only a handful of cases concern the tiny Anglican minority in New London County and most concern efforts by missionaries from the Society for the Propagation of the Gospel in Connecticut to collect parish rates from Anglican Church members, usually without success. In a case that involved two dissenting groups, *Ebenezer Punderson v. Daniel Fisk*, the plaintiff, Anglican missionary for the SPG, sued Baptist minister Fisk for violating the Connecticut statute against unlawful marriage by marrying his daughter Hannah to Solomon Avery of Preston.<sup>102</sup> In a post-Revolutionary War case, Ebenezer Punderson and Henry Billings, members of the “Established Church of England” and imprisoned for debt petitioned the court to extend the bounds of the Norwich prison yard to include the meetinghouse of the Church of England. The court took no action on the petition.<sup>103</sup>

An important Shaker defamation and slander case was tried in 1785. Keren Eggleston, 2d of Stonington sued Reuben Rathbun, “who the Shakers Call a Prophet,” for £800 damages after the defendant had accused the plaintiff of “whoredom & Bestiality.” The court received nine depositions that testified to the truth of the charges. The court found Rathbun guilty and assessed him £20 damages and costs.<sup>104</sup>

Most Congregational cases involved efforts by ministers to secure funds, salaries, or property stipulated by contract with the church society but not paid to the minister. In one typical case, Matthew

<sup>96</sup> Ibid, June 1752, Box 93, folder 18, no. 201.

<sup>97</sup> Ibid, Feb. 1844, Box 407, folder 15, no. 94; June 1845, Box 410, folder 10, no. 429.

<sup>98</sup> Ibid, Nov. 1748, Box 86, folder 3, no. 79. The first time that the word “Separatist” was used occurred in June 1740 in *Dom Rex v. James Hillhouse, Joseph Bradford, Daniel Fitch, and Alexander Johnston*, all of New London. Hillhouse had been the first minister for the North Society in New London, now Montville, but had been dismissed and replaced by David Jewett. Hillhouse, however, continued to preach and was indicted for holding a separate meeting. Ibid, June 1740, Box 63, folder 14, no. 650.

<sup>99</sup> Ibid, June 1742, Box 73, folder 9, no. 634; NLCC Trials, Vol. 20, Nov. 1742, no. 338.

<sup>100</sup> *John Lord v. Elisha Marvin, Jr., Josiah Ely, and Gamaliel Brockway*, Ibid, Feb. 1791, Box 221, folder 18, no. 112.

<sup>101</sup> Ibid, Dec. 1792, Box 227, folder 9.

<sup>102</sup> Ibid, Box 91, folder 15. This case was in the *No Docket* files, thus, no decision was made by the county court.

<sup>103</sup> Ibid, Feb. 1789, Box 213, folder 13.

<sup>104</sup> Ibid, June 1785, Box 192, folder 12.

Griswold, King’s Attorney, sued John Clark, Samuel Bushnell, and Phillip Kirtland, Committee for the Second Society in Saybrook for payment of £360 due for the 1751 salary of the Reverend Abraham Nott.<sup>105</sup> In a second example, the Society Committee for the 2<sup>nd</sup> Church in Preston sued John Green, Jr. in 1783 for £15 stating that he had subscribed £8 in 1773 “for the Support and Maintenance of A Regular Orthodox Minister” but had failed to pay the agreed sum. The plaintiffs recovered £12-15-2 damages and court costs of almost £3.<sup>106</sup>

Perhaps the most interesting class of cases consists of lawsuits for defamation and slander. The records contain almost 150 of such cases for the period before the American Revolution and more than 200 thereafter. Although the plaintiff is suing for large monetary damages on the charge of defamation, the person is being slandered for one or more of several reasons. The major subjects include the following: perjury or swearing a false oath (28 cases), theft (26), counterfeiting or forgery (12), bankruptcy or unable to pay bills (12), lascivious carriage (11), drunkenness (9), adultery (9), prostitution (6), and attempted murder (4).<sup>107</sup> In one June 1757 case, Thomas Clark and his wife Rebecca of Lyme sued Nathan Jewett. The plaintiff had kept a house of public entertainment for several year but was not re-nominated by the civil authority in Lyme after Jewett slandered the plaintiffs by asserting that Clark “Doth not Rule his Wife” due to the fact that Rebecca was a scold, “a Quarrelsome & Contentious Woman.” The defendant was acquitted.<sup>108</sup> In another case in November 1770, *Samuel Baker v. Joseph Billings*, Baker sued for £500 damages because Billings had falsely accused his wife Margaret of having carnal knowledge with a Negro man called Jack.<sup>109</sup> At that same court session, *Peter Bowdish v. Isaac Baldwin*, the plaintiff sued for £500 damages on the false accusation that he was guilty of the “Capital Crime of Buggery” with a dog. The jury awarded the plaintiff £4 damages and the defendant appealed.<sup>110</sup>

**Table 2. Defamation and Slander, 1781-1855**

Decade	Theft	Sexual	Perjury	Bankrupt	Forgery	Other	Total
1781-89	10	4	8	3	0	5	30
1790-99	10	2	4	2	1	3	22
1800-09	11	6	6	3	0	7	33
1810-19	16	6	3	1	3	7	36
1820-29	11	9	5	3	3	5	36
1830-39	4	5	4	1	1	5	20
1840-49	5	7	2	0	0	5	19
1850-55	1	7	0	0	0	5	13
<b>Totals</b>	<b>68</b>	<b>46</b>	<b>32</b>	<b>13</b>	<b>8</b>	<b>42</b>	<b>209</b>

Noteworthy lawsuits include one filed by Isaac Weeden of New London in June 1805 against Benjamin Brown demanding \$500. The plaintiff stated that he was a merchant and trader whose business depended on having capital and offering credit. The defendant had slandered Weeden by claiming that, “Isaac Weeden has bought an Elegant Horse, Collected his Saddlebags full of Money, & run away with it & left his Family to Cheat his Creditors.”<sup>111</sup> In an 1811 case that was not prosecuted, Polly Smith accused Abigail Smith of “adultery, fornication, lewdness, whoredom or incontinency” with one John Ayer.<sup>112</sup> The February 1850 court heard to case of *Benajah Cook v. Oliver L. Wheeler*. Cook sued for \$500 damages because the defendant hanged an effigy of the plaintiff on a tree near a highway with a label saying, “B.

<sup>105</sup> Ibid, June 1753, Box 97, folder 8.

<sup>106</sup> *Timothy Lester et al v. John Green, Jr.*, Ibid, Nov. 1783, Box 182, folder 3, no. 84.

<sup>107</sup> Additional subjects include bribery, buggery or sodomy, extortion, fornication, keeping false books, profane swearing, and selling strong drink without a license.

<sup>108</sup> Ibid, June 1757, Box 106, folder 19, no. 93.

<sup>109</sup> Ibid, Nov. 1770, Box 155, folder 7, no. 121. The case was withdrawn.

<sup>110</sup> Ibid, Nov. 1770, Box 155, folder 8.

<sup>111</sup> Ibid, June 1805, Box 267, folder 12. The case was never brought to trial.

<sup>112</sup> Ibid, *John Smith v. Jedediah Smith*, June 1811, Box 290, folder 4.

Cook Justice has over taken the Pope.”<sup>113</sup> Finally in the last defamation and slander case brought before the court, Elder Reuben Palmer of Montville sued Joshua Rogers on the slander of “wilfully and maliciously removing or altering . . . boundaries of land.”<sup>114</sup>

The other categories in which at least five lawsuits were filed consist of drunkenness (7), murder or attempted murder (5), fraud (5), and medical quackery (5). Unlike State prosecutions (Table 3), defamation and slander lawsuits did not increase with population, although the subjects of lawsuits changed somewhat from the pre-Revolutionary time period. Compared to the earlier period, theft and accusations of sexual misconduct cases increased and forgery/counterfeiting lawsuits decreased. The problem of definition is a recurrent one, as charges often covered a wide range of transgressions, like the February 1796 lawsuit in which Keziah Whipple was accused by John King of being “a damned Liar,” “a damned Faggot,” and “a damned Strumpet.”<sup>115</sup>

The vast majority of cases adjudicated before the County Court consisted of civil cases, but criminal prosecutions on behalf of the King to 1776, Governor and Company of the State of Connecticut to 1784, and the State of Connecticut thereafter became increasingly important during the first half of the nineteenth century. Although many cases were withdrawn before being heard by the county court for a variety of reasons, including insufficient evidence, the failure of witnesses to appear, or successful prosecution by another court, the numbers are significant.

The typical State prosecution began with a complaint by a grand juror to a local justice of the peace.<sup>116</sup> The person complained against was arrested and brought before the j.p. and the justice either made his own determination of guilt or innocence or bound the defendant over to the county court for later trial. The State’s Attorney decided whether or not to try the case. In one representative example from November 1847, grand juror Leonard Hempstead of New London issued a complaint to John Grace, Esq. against Walter Edwards, “not being a taverner, with force and arms did sell . . . wine and spirituuous liquor, to wit, one glass each of Rum, gin, brandy and wine to Joseph Ward.” Constable Joseph S. Fitch arrested Ward, he was brought before j.p. Grace, and was bound over to the county court. State’s Attorney John T. Wait declined to prosecute.<sup>117</sup>

The following table provides an overview of State criminal prosecutions for the period between 1781 and 1855.

**Table 3. State Prosecutions, 1781-1855**

<b>Decade</b>	<b>Assault</b>	<b>Theft</b>	<b>SDrink</b>	<b>Tumult</b>	<b>Sexual</b>	<b>Other</b>	<b>Total</b>
1781-89	11	12	84	9	4	58	178
1790-99	8	7	13	7	4	8	47
1800-09	17	16	7	9	0	3	52
1810-19	30	34	14	11	4	19	112
1820-29	66	57	4	39	1	5	172
1830-39	132	146	29	36	16	42	401
1840-49	251	157	147	35	83	78	751
1850-55	120	132	131	36	52	50	521
<b>Totals</b>	<b>635</b>	<b>561</b>	<b>429</b>	<b>182</b>	<b>164</b>	<b>263</b>	<b>2,234</b>

<sup>113</sup> Ibid, Feb. 1850, Box 420, folder 16, no. 443. The defendant was found not guilty and the plaintiff appealed to the Superior Court.

<sup>114</sup> Ibid, Nov. 1854, Box 433, folder 17, no. 365.

<sup>115</sup> Ibid, Feb. 1796, Box 234, folder 20. Neither party appeared at trial. The case was placed in the sexual category.

<sup>116</sup> Grand jurors were annually elected by the freemen at the annual town meeting. They were charged to “diligently enquire after, and make due presentment of all misdemeanors and breaches of law, whereof they have cognizance.” *Statute Laws of the State of Connecticut* (1808), 371-73.

<sup>117</sup> *State v. Walter Edwards*, NLCC Files, Nov. 1847, Box 411, folder 3, no. 566.

As the table indicates, the number of State prosecutions of criminal offenses increased drastically, particularly for the period after 1830. The average number jumped from 17.2 per year in the decade of the 1820s, to over 40 for the next decade, 75.2 for the 1840s, and 83.7 during the 1850s. The rates of criminal prosecutions increased much more rapidly than population, although they reflected two 19<sup>th</sup> century trends – increased urbanization and the spread of poverty, particularly among minorities. Some 28.3% of the total number of indictments were for assault, followed by 25.1% for theft, and 19.2% for offenses associated with the misuse of alcoholic beverages. Three classes of offenses, then, constituted 72.6% of all State prosecutions and, if one adds the totals for tumultuous carriage (8.2%) and a variety of sexual crimes (7.4), then more than 88% of all presentments are accounted for.

The Other category includes presentments for malicious mischief (57), arson (33), election fraud (29), illegal intercourse with the enemy (23), nonpayment of excise taxes (21), counterfeiting (20), forgery (12), gambling (11), fraud (9), and escape from jail (9).

The documentation on prosecutions for assault, for example, provides information on the nature of each crime, the weapon or weapons used, the location where the offense was committed, the extent of injuries suffered, and the punishments inflicted upon conviction. In February 1787, for example, the State prosecuted Rebecca Morgan of Groton for beating and abusing indented servant Betty Freeman. The court found the facts of the indictment true, set Betty at liberty, and ordered the defendant to pay court costs.<sup>118</sup>

A close study of criminal assaults can also provide data on both perpetrators and victims, e.g. male on male, male on female, female on female, and female on male, not to mention adult on child and those of different races. People of color were much more likely to be victimized by whites than the reverse. In addition, the presentment tells the relationship, if any, between the criminal defendant and the victim. The February 1841 session, for example, contains six presentments for assault; three by white males on white males, two for husbands against wives, and one for a black man on a white man. The number of presentments is so large that researchers can break down the data by sex, age, and residence, thus crimes by and against women, by and against minors, and by and against transients can all be analyzed.<sup>119</sup> The increasing number of crimes committed in urban New London and Norwich in the middle of the nineteenth century is also apparent. One can also examine to what extent crime may be associated with class, ethnicity, and race, as the appearance exists that African Americans and Irish were brought before the bar at much higher rates than their numbers would warrant.

The number of prosecutions for theft is equally impressive. The documents provide information on the perpetrator and victim, precise identification of the goods stolen, and the disposition of each case, including prison sentence and costs. In November 1834, the State prosecuted George Brown, a transient from New York, for theft from the store of Peleg Denison, Jr. of Waterford; John Brown and others from Norwich for stealing clothes from Taylor Thornton; Julia Ann Freeman, a woman of color, for several thefts in Norwich; transient George Potter and others in a theft of clothes from the store of John W. Fanning on Griswold; Joseph Saunders for theft of a silver watch from Juliet Forsyth; Charles W. Smith for purloining bank notes from Richard Lee; and transients Alexander Webster and George Smith for theft of clothing from the store of the Sheffield brothers in Stonington.<sup>120</sup>

The third classification of crime that led to a large number of prosecutions revolved around the sale of alcoholic beverages. The category of Strong Drink consists primarily of illegal sales of spirituous liquors by those unlicensed to do so, but it also includes prosecutions of persons chosen to be tavern keepers who failed to secure bond, sale of alcohol to habitual drunkards, and a small number of presentments against the intoxicated. Prosecutions for illegal sale of alcoholic beverages tended to cluster, for example, ten of fourteen cases for the 1810 to 1819 time period occurred in June 1817. Eight of the ten persons charged

<sup>118</sup> *State v. Rebecca Morgan*, Ibid, Feb. 1787, Box 201, folder 15, no. 146.

<sup>119</sup> See for example, Nancy Hathaway Steenburg, *Children and the Criminal Law in Connecticut, 1638-1855* (New York and London: Routledge, 2005).

<sup>120</sup> NLCC Files, Nov. 1834; Box 377, folder 13, 314, 319; folder 13, no. 249-50; folder 15, no. 332; folder 16, no. 343; folder 18, no. 323; folder 18, no. 302; folder 18, no. 336.

lived in New London and, indicative of most presentments for sale of strong drink without license, the State's Attorney declined to prosecute. The bulk of the prosecutions, 278 of 429, took place in the fifteen year time period from 1841 to 1855, perhaps reflecting the growth of the temperance movement and the influx of Irish immigrants to eastern Connecticut during the 1840s. The State's Attorney brought twenty-six indictments for illegal sale of liquor to the November 1847 court. He declined to prosecute in about two thirds of the cases, including one for the illegal sale of liquor to "an intemperate person." Eight cases were brought to trial, resulting in six verdicts of guilty and two of not guilty.<sup>121</sup> Indictments of persons appointed as taverners by the court who failed to secure good behavior bonds date primarily from the 1780s.

The fourth most significant category of State prosecutions consisted of those for a variety of threatening and violent actions, e.g. threatening and abusing, tumultuous carriage, riot, and threatening to murder. In June 1824, the State unsuccessfully prosecuted Joseph Bolles and five others for riot, declined to prosecute Stephen Green for threatening to murder Stephen Chappell, convicted transient Henry Wright for threatening and stealing clothes from Saxton Miner, and charged four women and one man with threatening to maim or kill Eunice Avery. All five failed to appear at court and forfeited their bonds.<sup>122</sup>

The sexual crimes category consists of indictments for abortion, adultery, bigamy, fornication, incest, lascivious carriage, prostitution, and rape. The approximate number for each crime is: adultery (66), prostitution (32), keeping a bawdry house (24), fornication (19), rape or attempted rape (14), bigamy (4), lascivious carriage (3), abortion (1), and incest (1).<sup>123</sup> Many of these are included in the table for Crimes Against Women, but as a general rule not those prosecuted for adultery, bigamy, and keeping a house of ill-fame, crimes for which males were often indicted. The courts prosecuted both males and females for adultery. In June 1840, for example, the State's Attorney prosecuted Mary Miller of Colchester, wife of Pomp Miller, for adultery with James S. Freeman and Freeman for adultery with Mary Miller. Both pleaded not guilty and judged not guilty.<sup>124</sup> Fifty-two of fifty-seven persons indicted for keeping or maintain a bawdry house or residing in a "house of ill fame" occurred between the years 1845 and 1854 and more than half of the people prosecuted lived in New London. In February 1848, State's Attorney John T. Wait prosecuted five people of color from New London, Frank Sansom for maintaining a house of "ill fame" and four women for prostitution. The court found all guilty.<sup>125</sup>

Fornication, rape, or attempted rape forms the other two categories with significant numbers. By mid-century, most State prosecutions for fornication involved an underage female, as the prosecution of Alonzo Frisby of Groton for committing the crime with eighteen year-old Caroline Ashby. Although he pleaded not guilty, the court convicted him and sentenced him to three months in the county jail, a \$50 fine, and payment of court costs.<sup>126</sup> In a case of rape, George Godfrey of Norwich was accused of sexual assault on Julia Ann Crocker, a child of eight.<sup>127</sup> The court also heard one case of abortion and one of incest, prosecutions so unusual that they deserve mention. The State charged Morgan Mott of Bozrah with attempting with "large quantities, to wit four ounces of a noxious and destructive substance called savin & a large quantity of the oil of tanev & other deadly drugs with intent thereby to cause and procure the miscarriage of said Clarissa Hancox" of Colchester. The defendant was released after paying court costs.<sup>128</sup>

<sup>121</sup> Ibid, Boxes 414-15 passim.

<sup>122</sup> Ibid, Box 346, folder 17.

<sup>123</sup> It is often difficult to differentiate between those who maintained bawdry houses and prostitutes, therefore, the fifty-six total is accurate, but the ratio between the two is a matter of interpretation.

<sup>124</sup> NLCC Files, June 1840, Box 398, folder 14, no. 209, 211, 234, 238.

<sup>125</sup> Ibid, Feb. 1848, Box 415, folder 13, no. 667-71, 675, 677. People of color were disproportionately represented in such prosecutions, but conviction rates were comparable with those against whites. Sansom received a six-month sentence, a \$50 fine, and compelled to pay court costs. Two of the women received both jail sentences and fines and the other two just fines.

<sup>126</sup> Ibid, Feb. 1848, Box 15, folder 12, no. 655, 662.

<sup>127</sup> Ibid, Nov. 1842, Box 404, folder 6, no. 80. Convicted of the crime by the Superior Court, the State's Attorney did not prosecute.

<sup>128</sup> Ibid, July 1847, Box 414, folder 5, no. 849.

In the case of incest, Charles Miner of Lyme was accused of a “brutal and indecent assault . . . feloniously to ravish and carnally know” on his thirteen year-old daughter Lucretia. He pled guilty and was sentenced to six months in jail.<sup>129</sup>

**Illustration 6**

To the Honorable County Court, now in session at Norwich within and for the County of New London - Amos A. McCarrie Attorney for the State, within and for the County of New London, who prosecutes in the behalf of said State, in and against said Court here demanded and that one Henry C. Jacobs of the town of New London in said New London County, now in custody of the Sheriff of said County, have to me, said Attorney, on the 6. day of September 1848, of New London, with force and arms did keep and maintain a certain house of bawdry and ill fame at said town of New London, the habit of frequenting and abandoned persons of both sexes for the purpose of lewdness and prostitution, of evil example, contrary to the form and effect of the Statute in such Case made and provided, and against the peace and dignity of the said State. Dated at Norwich this fifteenth day of February, in the year of our Lord, one thousand, eight hundred, and forty nine. Amos A. McCarrie Attorney.

**Indictment of Henry C. Jacobs for keeping a “house of bawdry.”<sup>130</sup>**

The malicious mischief category consists primarily of crimes against property or livestock, such as two June 1820 indictments for chopping holes in the Shetucket River between Norwich and Preston thereby preventing people from passing and endangering their property and obstructing traffic along a public highway in Norwich by putting rails across it or the June 1838 prosecution of David Carrier of Colchester for entering the property of Epaphroditus Carrier, firing a loaded gun at an ox and injuring the animal.<sup>131</sup> The election fraud cases are comprised primarily of prosecutions of non-voters for attempting to vote in town meetings or trying to vote twice, but the compiler also included the indictment of Samuel Burrows of Groton who accused the governor of bribery.<sup>132</sup> The remaining cases, numbering 39, include presentments against towns for failing to maintain public highways (6), illegal smallpox inoculations (5), violations of

<sup>129</sup> Ibid, Apr. 1851, Box 424, folder 11, no. 428.

<sup>130</sup> State v. Henry C. Jacobs, Ibid, Feb. 1849, Box 418, folder 5, no. 186.

<sup>131</sup> State v. William Johnson et al, Ibid, June 1820, Box 334, folder 1; State v. John L. Maples, June 1820, Box 334, folder 1; State v. David Carrier, June 1838, Box 394, folders 7, no. 187, 198, 199.

<sup>132</sup> Governor and Company v. Samuel Burrows, Ibid, June 1783, Box 181, folder 9.

laws regulating fisheries (3), publishing obscene materials (3), and one or two cases concerning such subjects as kidnapping, profane swearing, sale of infected meat, and the illegal performing of tricks of uncommon dexterity for profit.

The court records also allow researchers to find more information on important events in Connecticut history and to test conclusions made by historians who may not have examined court records. The Spanish Ship Case concerned a Spanish snow carrying gold, silver, and indigo that was intentionally wrecked by New London pilots in November 1752. The cargo was brought ashore, some of it was stolen, and Governor Roger Wolcott was defeated for re-election due to rumors that he had conspired to steal the cargo. Only one study has been published on the subject and no evidence exists that the author consulted New London County Court records.<sup>133</sup> Files contain records on thirty-three cases between November 1753 and June 1755 on this subject.

In May 1763, the General Assembly passed “An Act for Relief of Insolvent Debtors who are willing to make Discovery of and deliver upon Oath their Estates for their Creditors’ Benefit, and to release such Debtors from Imprisonment,” due to the economic difficulties the colony encountered after the French and Indian War.<sup>134</sup> Standard sources on the pre-Revolutionary era discuss the seriousness of these debt problems, but do not base their conclusions on a study of court records.<sup>135</sup> The records from New London indicate that 14 insolvent debtors were involved in 36 cases between November 1763 and June 1774. Half of the insolvent debtors lived in Stonington and just three people, John Rathbun of Stonington, Abner Lee of Lyme, and Matthew Stewart of New London were concerned with 18 of 36 cases. Rathbun alone was the debtor in 10 cases. The evidence from New London County indicates that further study on insolvent debtors is needed and that previous conclusions may need to be modified.

Despite the fact that all the records of the New London County Court for the period between February 1775 and June 1781 were destroyed by British troops under Benedict Arnold on September 6, 1781, the Files still contain around 120 cases documenting Connecticut’s Revolutionary War experience, mostly between November 1781 and June 1786. As Connecticut morale declined in the later stages of the war, an increasing number of people were charged with trading with and having illicit intercourse with the enemy on Long Island.<sup>136</sup> Some 40 cases concern these subjects.<sup>137</sup> The bulk of the other cases dealt with such subjects as privateering, hiring of soldiers to serve in the Connecticut Line, and payment of debts owed to Loyalists who left Boston with the British in 1776. Eight lawsuits had a direct relationship to the British attacks on New London and Groton on September 6, 1781. The records for November 1781, for example, contain nine war-related cases concerning privateer prize cargoes, illegal trade with the enemy, the transporting of a man “unfriendly” to the United States to Long Island, an assault on militia guards to rescue an illicit trader, and a theft from the store of Thomas Mumford of Groton on the night of September 6, 1781.<sup>138</sup> In one fascinating case, *Richard Douglass v. Dudley Saltonsall*, the plaintiff as administrator of the estate of John Brown, sued for £400 damages. Lawyers for the defendant argued that the suit should be dismissed because Brown was a transient person with no estate. Lawyers for Douglass replied that Brown had come to New London in 1778 as a prisoner of war, had taken up residence in the town, sailed with the defendant on the *Minerva* and earned prize shares worth £340, and was killed at Fort Griswold on September 6, 1781 while defending the liberties of his country. The court found for the plaintiff.<sup>139</sup>

<sup>133</sup> Roland Mather Hooker, *The Spanish Ship Case: A Troublesome Episode for Connecticut, 1752-1758* (New Haven: Yale University Press, 1934), Tercentenary pamphlet XXV.

<sup>134</sup> Hoadly, ed., *The Public Records of the Colony of Connecticut* Vol. 12, 127-33.

<sup>135</sup> Albert E. Van Dusen, *Connecticut* (New York: Random House, 1961), 126, 434; Oscar Zeichner, *Connecticut’s Years of Controversy, 1750-1776* (Chapel Hill, N.C.: University of North Carolina Press, 1949), 46-48, 81-82, 131-32.

<sup>136</sup> See Richard Buel, Jr., *Dear Liberty: Connecticut’s Mobilization for the Revolutionary War*. (1980) for detailed information on the State’s problems at the closing stages of the American Revolution. He does not, however, use court records in his research.

<sup>137</sup> Twenty-three represent State prosecutions.

<sup>138</sup> NLCC Files, Nov. 1781, Box 171, folders 3, 4, 5, 20; Box 172, folders 1, 6, 10.

<sup>139</sup> *Ibid*, Box 195, folder 15, no. 23.

The American Revolution caused profound economic dislocation in Connecticut. One result was the inability of many farmers to pay the State taxes they owed and the State Treasurer secured writs of execution on livestock to pay the amounts owed, although the towns proved to be reluctant to enforce the law. The county sheriff brought lawsuits against the selectmen of Groton, Lyme, Montville, and Stonington in 1788 and 1789 to collect what was owed. In the first such lawsuit, the sheriff attached 400 head of oxen worth £2,400, but they were not turned over for sale and the sheriff sued the selectmen of Stonington. The court ruled in favor of the plaintiff and directed that the defendants pay £2,391-7 damages and £4-6-6 costs to be paid in a variety of currencies, among them hard money, Civil List orders, Lawrence Certificates of Interest, and Soldier Notes.<sup>140</sup>

The records hold a small amount of documentation on the Embargo and the War of 1812, two cases related to the first and eleven to the second.<sup>141</sup> In March 1808, the plaintiffs secured an embargo bond and coasting license from General Jedidiah Huntington, Collector of the Port of New London, but notwithstanding these legal documents, the defendants seized the sloop in January 1809.<sup>142</sup> The first War of 1812 case concerned an assault on a sergeant charged with raising troops “for the defence of the state” and the next to last was an unsuccessful lawsuit brought by a merchant from New York against the British consul in New London. The plaintiff, despite the state of war, had secured a permit from the British minister to the U.S. in July 1812 permitting a voyage to the West Indies, but the British Navy captured the vessel. The court found for the plaintiff and the defendant appealed.<sup>143</sup>

Files for the New London County Court contain a great deal of documentation on minorities, the downtrodden, and the poor, such groups as African Americans, Native Americans, women, apprentices, and transients.

The records include 286 cases on African Americans and other people of color between 1701 and 1774 and an additional 800 for the years 1781 to 1855.<sup>144</sup> Despite the existence of a wonderful reference tool, *Black Roots in Southeastern Connecticut*,<sup>145</sup> the bulk of these cases have not been previously examined by researchers.<sup>145</sup> One hundred and sixty-one separate names are found for the period up to the American Revolution and only 61 (38%) of them are represented in *Black Roots*. To put the matter somewhat differently, *Black Roots* cites 40 of the 259 cases in which an African American is identified by name. As with other cases and despite the fact that only a minority of African Americans in Connecticut was free prior to the American Revolution, the most common type of case found is that for debt with a free Negro as the plaintiff or defendant. The second largest number of cases concern disputes over ownership, inheritance, or suits for freedom by persons classified as slaves. In a number of additional cases, African Americans are summoned to testify as witnesses in court cases or are attached as property to ensure that the defendant appears at trial or to pay debts after conviction. Other subjects addressed include arson, breach of covenant for failure to pay wages to free Negroes, fornication, malicious mischief, theft, and trespass. For more information on African Americans, see the finding aid *New London Court African Americans and People of Color Collection*.

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<sup>140</sup> *Prosper Wetmore, Sheriff v. Selectmen of Stonington*, Ibid, Feb. 1788, Box 206, folder 18, no. 123.

<sup>141</sup> The War of 1812 cases appear in the following court sessions: Dec. 1813 (1), June 1815 (1), Dec. 1815 (2), Mar. 1816 (3), Mar. 1817 (1), Dec. 1817 (1), Dec. 1818 (1), and June 1820 (1).

<sup>142</sup> *Thomas Wilcox and Jesse Wilcox v. Edward Chesebrough et al*, NLCC Files, Dec. 1809, Box 284, folder 22; Ibid, June 1810, Box 286, folder 17. On the first occasions, the parties failed to appear and the second case was not prosecuted.

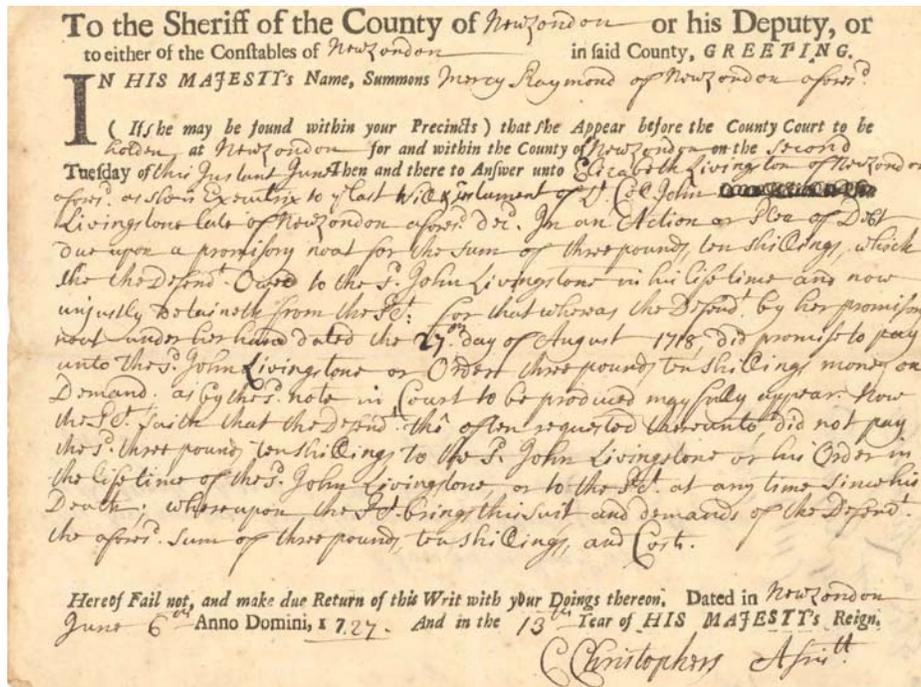
<sup>143</sup> *Roger Coit v. Joseph Stanton*, Ibid, Dec. 1813, Box 300, folder 6, no. 148; *Rowland Lee v. James Stewart*, Ibid, Dec. 1818, Box 326, folder 18, no. 261.

<sup>144</sup> Other cases involving African Americans can be found in twenty-three volumes of Trials covering the period between 1666 and 1774. They are particularly useful for the period of time before Files became plentiful in 1702 and, in addition, sometimes contain documentation not found in Files

<sup>145</sup> Barbara W. Brown and James M. Rose, joint authors, *Black Roots in Southeastern Connecticut, 1650-1900* (Detroit: Gale Research Co., 1980). The authors compiled their data primarily from census, church, justice of the peace, land, pension, probate, town, and vital records, plus account books of storekeepers, and court records that contain clear references to the race of plaintiffs and/or defendants.

Files contain around 240 cases documenting Native Americans in New London County and environs between 1698 and 1774 and another 100 for the post-Revolutionary War era. One hundred and eighty-two Indians are represented, but only 59 appear in *Black Roots*, and just 29 cases are listed in that same source for the period up to the American Revolution. Suits for debt make up the largest number of cases, while those concerning Indians in their status as servants comes in second, and land disputes follow. The remainder of cases concerns such subjects as assault, defamation and slander, fornication, lascivious carriage, negligence, profaning the Sabbath, and theft. For additional information on Native Americans in New London County, see the finding aid for *New London Court Native Americans Collection*.

### Illustration 7



*Elizabeth Livingstone v. Mercy Raymond, 1727.*<sup>146</sup>

The role of women before the bar is far more significant than one would believe from reading Cornelia Dayton's prizewinning book on the subject and there is little reason to conclude that they were victims of prejudice by the male dominated judicial system.<sup>147</sup> Females were plaintiffs or defendants in only a relatively small minority of cases due to the legal principle of coverture.<sup>148</sup> Single women and widows could and did sue and were sued and a small number, like diarist Madame Sarah Knight and entrepreneur Mercy Raymond and such women as Mary Dart, Elizabeth Hallam, Elizabeth Livingstone, and Sarah Rogers made frequent court appearances. The records also contain a number of cases in which a husband sues to collect a debt contracted by his wife before the date of their marriage. In November 1741, for example, Benjamin Lothrop of Norwich and his wife Mary, formerly Mary Jones of Colchester, sued William Randall for payment on a debt by note dated Sep. 16, 1740 for £10 damages on the failure of the defendant

<sup>146</sup> Ibid, June 1727, Box 25, folder 19, no. 111.

<sup>147</sup> Cornelia Hughes Dayton, *Women Before the Bar: Gender, Law, and Society in Connecticut, 1639-1789* (Chapel Hill: University of North Carolina Press, 1995).

<sup>148</sup> Coverture was the condition of being a married woman and under 18<sup>th</sup> century law, "a woman under coverture was allowed to sue only through personality of her husband." *Black's Law Dictionary*, 373.

for value received to deliver ten bushels of Indian corn to Jones.<sup>149</sup> Women also frequently appeared as witnesses to debt instruments and testified before the county court.

Mercy Raymond (1663-1741) provides an excellent example of a woman who frequently appeared before the court. Left a widow with seven children on the death of her husband in 1704, Mercy was deeded property by both her father and husband and was a wealthy woman. She never remarried and from 1710 to 1735, she was plaintiff or defendant in some 46 lawsuits, 20 for the period between 1712 and 1726 when she was in partnership with Major John Merritt. The relationship between the two is not known, but in June 1717, Merritt was sued for not living with his wife.<sup>150</sup> Additional information about Mercy's life comes from a 1748 deposition that contains the information that she had a slave Busso "who was . . . Infirm In body . . . and Not Capable of Doing So much Labour as to Earn his Victuals," and who was characterized as "an ill tempered Surly Sort of fellow." Busso, however, mistreated his mistress and on a least two occasions struck her.<sup>151</sup>

For researchers interested in crimes against women, the records contain ample documentation.

**Table 4 Crimes Against Women**

Decade	CrAssault	CivAssault	Threat	Rape	Fornication	Marriage	Total
1781-89	4	5	0	0	40	7	56
1790-99	4	8	6	1	25	4	48
1800-09	9	8	7	1	27	6	58
1810-19	13	19	1	0	33	5	71
1820-29	22	12	15	0	28	5	82
1830-39	40	9	9	5	14	1	78
1840-49	62	2	8	7	18	1	98
1850-55	36	5	4	5	6	5	61
<b>Totals</b>	<b>190</b>	<b>68</b>	<b>50</b>	<b>19</b>	<b>191</b>	<b>34</b>	<b>552</b>

A clear trend emerges from these figures. The number of physical assaults against women drastically increases, while the number of lawsuits, mostly civil filings, by women suing for child support undergoes a significant decline. The largest number of criminal assaults represents State prosecutions of husbands for abusing their wives. The same is true for prosecutions of threatening assault or murder. Civil assault cases consist of prosecutions by women against men not their husbands. Breach of promise to marry lawsuits consists exclusively of civil cases.

The records include some 140 cases involving indentures, a subject addressed more frequently in town records. Several kinds of cases are found here. Lawsuits concerning the failure of the master to properly train his apprentice in a lawful calling and those involving runaways represent the most common. In the case of *John Borman v. John Gibbins*, the defendant was reduced to poverty and his son Luke Gibbins was bound by the selectmen of Preston to Borman. Luke ran away in December 1724 to return to his parents. The jury decided that the youth must be returned to Borman.<sup>152</sup> In a February 1725 case, *Christopher Darrow v. John Savel*, Darrow apprenticed his son Ebenezer to the defendant to learn the trade of joiner. Darrow accused Savel of not providing Ebenezer with clothing as the indenture stipulated, but the lawsuit was withdrawn, probably because the parties came to an out of court settlement.<sup>153</sup> On occasion, masters abused their apprentices, as in *State of Connecticut v. Joseph Rogers*. James Davidson was beaten so severely by Rogers that he sought refuge in the house of a neighbor.<sup>154</sup> The last such case was heard in

<sup>149</sup> NLCC Files, Nov. 1741, Box 69, folder 14, no. 375.

<sup>150</sup> Ibid, June 1717, Box 12, folder 6.

<sup>151</sup> Ibid, June 1748, Box 85, folder 19.

<sup>152</sup> Ibid, June 1725, Box 22, folder 11, no. 165.

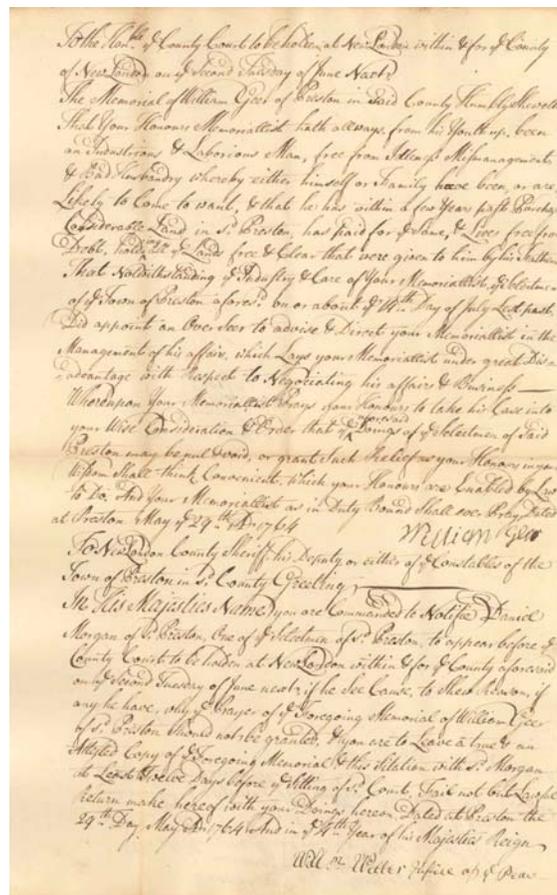
<sup>153</sup> Ibid, Feb. 1725, Box 21, folder 15, no. 47.

<sup>154</sup> Ibid, Feb. 1804, Box 263, folder 1, no. 48.

1849, *Isaac S. Geer v. Edwin Kimball and George P. Harvey*, in which the plaintiff unsuccessfully sued for \$200 for wages owed his apprentice William Briggs.<sup>155</sup>

For researchers interested in the lot of the poor and transients, the records contain hundreds of cases documenting the fate of the poorest whites. Those unable to pay their debt could be jailed or assigned to the service of any person, often the creditor, who would pay the debt. To cite just one example, *Elijah Backus v. Jeremiah Lewis*, in a case of debt by book, the defendant confessed judgment for £12-1 debt and £0-10-3 costs. Since he was unable to pay this and another debt, he was assigned to the service of Backus for three years.<sup>156</sup> Jacob Johnson of Stonington sent a memorial to the June 1772 court stating that he had been confined to the county jail for several months because he was unable to pay Joseph Denison 2d a debt of £12. He wrote that he was poor and unable to support himself while in prison and that he had offered to go into service to pay the debt, but that Denison had refused to allow him to be released.<sup>157</sup>

### Illustration 8



**Memorial of William Geer, June 1764, seeking release from overseer, Saying that he is able to manage his own affairs.**<sup>158</sup>

<sup>155</sup> Ibid, Nov. 1849, Box 419, folder 17, no. 462.

<sup>156</sup> Ibid, Feb. 1759, Box 110, folder 13, no. 22.

<sup>157</sup> Ibid, June 1772, Box 161, folder 5.

<sup>158</sup> Ibid, June 1764, Box 133, folder 13.

Persons classed as transients, e.g. without a fixed abode, are so identified in court records. One such case was *Christopher Smieller v. Edmund Tobin*, a transient person residing in New London, in a debt by note for £3-6. The defendant claimed that the note had been obtained under extortion as he was unlawfully arrested and kept prison in jail until he signed the note. The jury agreed and the defendant recovered £2-8-8 in court costs.<sup>159</sup> Transients appear frequently as defendants in criminal cases. The State's Attorney filed thirty-seven presentments in June 1854, seven against transients for arson, assault, malicious mischief, theft, and threatening to kill.

Disputing parties over care of the poor and mentally incompetent frequently resorted to the courts. Some 230 suits were brought before the court in the post-Revolutionary period, a much smaller number from the earlier era. In March 1819, for example, the court hear disputes over the support of Mulford Babcock and his family, Groton paupers; Isaac Moody, another Groton pauper; sick and helpless George Southmayd of New London; the care of Ezra Robbins, Jr.; plus a petition by Nathan Rose of Griswold protesting the appointment of an overseer over him and pleading for his "Freedom."<sup>160</sup> *Trials and Files* contain hundred of cases concerning those on the lowest rung of society.

Those interested in the growth and development of the legal profession in 18<sup>th</sup> century Connecticut will likewise find these records extremely useful.<sup>161</sup> Lawyers became ever more critical throughout the course of the eighteenth century. Legislation allowing attorneys to represent clients was first passed in May 1708. One begins to see lawyers representing clients by the 1720s and by the end of the fourth decade of the century, lawyers represented clients in virtually all disputed cases.<sup>162</sup> Researcher can determine who the most prominent and successful lawyers are, the kinds of cases they pleaded, the nature of their legal arguments, and their success ratio in cases in which they appeared.<sup>163</sup> The leading members of the New London County bar in 1740 were John Curtiss, Joseph Fowler, John Lee, and Elisha Paine, all of whom played significant roles in the Great Awakening. Curtiss and Paine became Separatists and ceased the practice of law by 1742. Lee, also King's Attorney for New London County, strongly adhered to the cause of awakened religion, while Fowler played a critical role in a 1740 election plot that saw several supporters of awakened religion achieve prominent office. Joseph Fowler from Lebanon in Windham County was the leading person in the New London County bar during the 1730s and 1740s. He often represented commercial plaintiffs from Boston in debt cases and his clients enjoyed great success before the court. A new generation of lawyers began to make their appearance in the 1740s and 1750s, such persons as George Dorr, Matthew Griswold, William Hillhouse, Benjamin Huntington, Samuel Huntington, Richard Law, Samuel Holden Parsons, and Ambrose Whittelsey. The legal careers of these and a number of other lawyers can be traced through *Files* well into the 19<sup>th</sup> century, including such prominent member of the bar as Jeremiah G. Brainard, Lafayette L. Foster, Jirah Isham, James Lanman, Charles J. McCurdy, John T. Wait, and Henry N. Waite

The records contain information on a number of such other subjects as, arson, assumpsit,, covenant broken, desertion, fishing rights, forgery, fraudulent contract, guardians and overseers for the mentally and physically incompetent, lotteries, naturalization and legal treatment of foreigners, perjury, probate, and

<sup>159</sup> Ibid, June 1772, Box 161, folder 16, no. 268.

<sup>160</sup> *Bozrah v. Groton*, Ibid, Mar. 1819, Box 327, folder 12; *Lisbon v. Groton*, Box 328, folder 3; *Daniel Penhollow v. New London*, Box 328, folder 6; *Daniel Robbins v. John V. Robbins*, Box 328, folder 7; *Nathan Rose v. Griswold*, Box 328, folder 7.

<sup>161</sup> Those wishing to make an institutional study of the court and its functions and the County Treasurer, Clerk, or jail will find the *Trials* volumes particularly relevant.

<sup>162</sup> Charles J. Hoadly ed., *The Public Records of the Colony of Connecticut*, Vol. 5 (Hartford: Case, Lockwood and Brainard, 1870), 48.

<sup>163</sup> Biographies of two leading Connecticut lawyers, Jared Ingersoll and William Samuel Johnson, have been written. The authors assert that they were the two leading lawyers in the colony, but in neither case is this argument backed by a close examination of county or superior court records. Lawrence Henry Gipson, *Jared Ingersoll: A Study of American Loyalism in Relation to the British Colonial Government* (New Haven: Yale University Press, 1920, reprinted 1970); Elizabeth P. McCaughey, *From Loyalist to Founding Father: The Political Odyssey of William Samuel Johnson* (New York: Columbia University Press, 1980.

usury, not to mention the violation of statutes concerning tanning of leather, unlawful obstructions across rivers and streams, unlawful smallpox inoculation, and illegal settlement by non-inhabitants, and isolated cases on horse racing, gambling, and performing trick and in shows. County court records, then, represent a rich source for information on a wide variety of subjects.

### Provenance

The county clerks were responsible for gathering, organizing, and preserving the records for the New London County Court. They were transferred to the Connecticut State Library in 1921.

### Illustration 9

Know all men by these presents That I Sarah Knight  
of Norwich in the County of New London & Colony of  
Connecticut in New-England Widow & the pkeeper  
Have Constituted Ordained deputed appointed & made  
& in my stead & place put Chof. John Livingston  
of New London agreed Gent. to be my true & lawful  
& lawful Attorney for me, & in my name & Seal, and to  
appear at any Court or court and before any Judge,  
Justice, Officers or Ministers of the Law what soever  
and coherstoover, and there to Answer, defend & reply  
to all Actions, causes, matters and things what soever  
in any wise relating to me or my estate, and to  
implead and prosecute the same to effect, giving  
and hereby Granting unto my sd Attorney, my estate  
and whole strength power & authority in the premises,  
All which doings of him my sd Attorney in the premises  
or his substitutes (one or more of them) I hereby  
also empower him to make) I have & will always  
and in all things Ratify & confirm, as good  
valid & effectual in all things for ever by this present  
In witness whereof I have hereunto set my hand &  
Seal the ninth day of August Anno Domini 1715

Signed Sealed & del.  
in presence of  
C. Christophers.  
Isaac Bime

Sarah Knight

Power of attorney by Madam Sarah Knight, 1715<sup>164</sup>

<sup>164</sup> Ibid, Aug. 1715, Box 9, folder 2. Five editions of *The Journal of Madam Knight* have been published between 1901 and 1972.

### **Related Records**

The volumes for *Trials* contain more information, particularly for the period up to about 1720 and *Papers by Subject* include useful supplementary information in several series, particularly Costs, Executions, and Summons for Evidence.

In addition to *Dockets*, *Trials*, and *Papers by Subject* already discussed, the most closely related records are those of the *New London County Superior Court*. The bulk of cases heard by the Superior Court consisted of appeals from the lower court.

### **Access Note**

Many of the papers found in *Files* for the New London County Court are fragile and they must be handled with great care. Photocopies have been inserted in place of originals for materials on African Americans, Native Americans, and for other items considered to be particularly valuable.

Container Listing<sup>165</sup>

**1. 1691-1701**

1691-92 (folder 1) Box 1  
1693 (folders 2-3)  
1696 (folder 4)  
1698 (folders 5-8)  
1699 (folders 9-12)  
1700 (folders 13-16)  
1701 (folders 17-21)

**2. 1702**

February (folder 22)  
June (folders 23-24)  
  
June (folder 1) Box 2  
September (folder 2)

**3. 1703**

March (folder 3)  
June (folders 4-6)  
September (folders 7-8)

**4. 1704**

June (folders 9-10)  
September (folders 11-13)  
November (folders 14-16)

**5. 1705**

June (folders 17-19)  
  
June (folders 1-2) Box 3  
September (folders 3-5)  
November (folder 6)

**6. 1706**

June (folders 7-10)  
September (folders 11-14)

**7. 1707**

June (folders 15-19)  
  
September (1-3) Box 4

**8. 1708**

June (folders 4-6)  
September (folders 7-11)

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<sup>165</sup> Beginning around 1717, file documents are numbered and the records are arranged according to that numerical scheme. Not all numbers, however, are represented in the sequence, as cases adjourned, continued, reviewed, or withdrawn are skipped in one court session and may appear in a later one. Cases that are adjourned, continued, or reviewed typically contain two or more numbers on the docketing section of the case with numbers crossed out as the lawsuit is moved from one court session to another.

- 9. 1709
  - April (folder 12)
  - June (folders 13-17)
  - September (folders 18-19)

- 10. 1710
  - June (folders 1-5)
  - September (folders 6-8)

Box 5

Illustration 10

Know all men by these presents that *Israel Everit* and *John Calkin* of the Town of *Lebanon* in the County of *New London*, in the Colony of *Connecticut* in *New England*, are bound, and stand firmly bound and obliged unto *Thomas Kimberly* of *Glastenbury* in the County of *Hartford* in the Colony aforesaid Executor to the Last Will and Testament of *Doctor Ebenezer Hill* late deceased at *Lebanon* aforesaid (decd) in the full and Just Sum of *Thirty and five pounds* Current Silver Money of the said Colony to be paid to the said *Thomas Kimberly* or his Certain Attorney, heirs, Executors, Administrators, or Assignees on or before the four and twentieth day of this Instant month of *January*, for which payment well and lawfully to be made, We the said *Israel Everit*, and *John Calkin* do bind our selves and each of us, our heirs, Executors, and Administrators and every of them jointly, and severally for the whole, and in the whole firmly by these presents made with our seals, Dated at *Lebanon* *January* the *fifteenth*, in the fourth Year of the Reign of our Sovereign Lady *Queen Anne*, by the Grace of God *Queen of Great Brittain* Anno Domini *1712/13*.

The Condition of this Obligation is such, that if the above bounden *Israel Everit*, his heirs, Executors, or Administrators shall will and lawfully pay or cause to be paid unto the above named *Thomas Kimberly*, his heirs, Executors, Administrators, or Assignees the full and Just Sum of *thirty and five pounds* Silver Money at the now dwelling house of the said *Thomas Kimberly* in *Glastenbury* aforesaid on or before the day above assigned without fraud or further delay, then this obligation to be void, and of none effect, but otherwise to remain in full force, effect and virtue. It is to be noted that the above sum of *thirty and five pounds* is the balance of a bill for *fourty and five pounds* payable to the said *Hill* by *Joseph Swiland* of *Lebanon* aforesaid, for Land & the purchase of the said *Hill* & *Edward Wagar*, the said *Everit* having purchased Land of the said *Swiland* & *Wagar* & being bound with his surety (viz: the said *John Calkin*) for the payment of the above sum to the said Executor, as is above mentioned & Expressed.

Signed, Sealed, and Delivered in presence of us  
Treasurer of the County  
*Samuel Hutchinson*  
*Israel Everit*  
*John Calkin*

Judgment was Cou kept upon this bond in the County Court at *New London* August 10<sup>th</sup> 1715.  
*Joseph George* Justice of the Peace

Debt by bond by Israel Everit of Lebanon, Jan. 15, 1712/13<sup>166</sup>

<sup>166</sup> Ibid, Feb. 1715, Box 8, folder 9

**11. 1711**

June (folders 9-14)  
September (folder 15)  
November (folders 16-18)

November (folders 1-2) Box 6

**12 1712**

June (folders 3-7)  
August (folder 8)  
November (folders 9-13)

**13. 1713**

June (folders 14-18)  
November (folder 19)

November (folders 1-7) Box 7

**14. 1714**

June (folders 8-16)  
November (folders 17-19)

November (folders 1-6) Box 8

**15. 1715**

February (folders 7-9)  
June (folders 10-16)  
August (folders 17-19)

August (folders 1-3) Box 9  
November (folders 4-15)

**16. 1716**

February (folders 16-19)

February (folder 1) Box 10  
June (folders 2-5)  
August (folders 6-11)  
November (folders 12-20)

November (folders 1-10) Box 11

**17. 1717**

February (folders 11-16)  
June [no. 1-28] (folders 17-20)

June [no. 29-76, miscellaneous] (folders 1-7) Box 12  
August (folders 8-12)  
November (folders 13-18)

**18 1718**

March [no. 1-26] (folders 19-21)

March [no 27-53, miscellaneous] (folders 1-7) Box 13  
June (folders 8-15)

- November [1-72] (folders 16-21)  
November [no. 76-139, special and no dockets] (folders 1-6) Box 14
- 19. 1719**  
June (folders 7-18)  
November [no. 1-15] (folders 19-20)  
  
November [no. 16-115, miscellaneous] (folders 1-12) Box 15
- 20. 1720**  
February (folders 13-18)  
June [no. 1-8] (folder 19)  
  
June [no. 11-101, miscellaneous] (folders 1-7) Box 16  
November (folders 8-20)
- 21. 1721**  
February (folders 1-5) Box 17  
June (folders 6-13)  
November (folders 15-20)
- 22. 1722**  
February [no. 2-45] (folders 1-3) Box 18  
June (folders 4-11)  
November (folders 12-19)
- 23. 1723**  
February [no. 1-15] (folder 20)  
  
February [no. 16-74] (folders 1-4) Box 19  
June (folders 5-14)  
November [no. 1-101] (folders 16-21)  
  
November [no. 102-119] (folders 1-2) Box 20
- 24. 1724**  
February (folders 3-8)  
June [no. 1-130] (folders 9-19)  
  
June [no. 131-143] (folder 1) Box 21  
August (folder 2)  
November (folders 3-12)
- 25. 1725**  
February (folders 13-19)  
  
June (folders 1-12) Box 22  
November [no. 1-145] (folders 13-20)  
  
November [no. 146-198] (folders 1-4) Box 23
- 25. 1726**  
February (folders 5-14)  
June [no. 1-108] (folders 15-21)  
June [109-252] (folders 1-9) Box 24

August (folders 10-14)	
November [no. 2-105] (folders 15-20)	
November [no. 106-162] (folders 1-4)	Box 25
<b>27. 1727</b>	
February (folders 5-11)	
June [no. 1-163] (folders 12-21)	
June [no.164-245] (folders 1-6)	Box 26
November (folders 7-18)	
<b>28. 1728</b>	
February [no. 2-33] (folders 19-20)	
February [no. 34-125] (folders 1-5)	Box 27
June [no. 1-240] (folders 6-19)	
June [no. 242-270] (folders 1-2)	Box 28
November (folders 3-16)	
<b>29. 1729</b>	
February [no. 1-80] (folders 17-20)	
February [no. 82-165] (folders 1-4)	Box 29
June [no. 2-267] (folders 5-20)	
June [no. 269-333] (folders 1-4)	Box 30
November (folders 5-17)	
<b>30. 1730</b>	
February [no. 2-55] (folders 18-20)	
February [no. 56-190] (folders 1-7)	Box 31
June (folders 8-18)	
November [no. 1-33] (folders 19-20)	
November [no. 34-203] (folders 1-8)	Box 32
<b>31. 1731</b>	
February (folders 9-14)	
June [no. 1-89] (folders 15-19)	
June [no. 90-268] (folders 1-9)	Box 33
November [no. 1-198] (folders 10-20)	
November [no. 199-257] (folders 1-4)	Box 34
<b>32. 1732</b>	
February (folders 5-12)	
June [no. 2-122] (folders 13-19)	
June [no. 123-364] (folders 1-13)	Box 35
November [no. 1-105] (folders 14-19)	
November [no. 106-279] (folders 1-11)	Box 36

**33. 1733**

February [no. 2-155] (folders 12-19)	
February [no. 156-184] (folders 1-2)	Box 37
June (folders 3-16)	
November [no. 1-40] (folders 17-19)	
November [no. 41-297] (folders 1-16)	Box 38

**34. 1734**

February [no. 1-68] (folders 17-20)	
February [no. 69-218] (folders 1-9)	Box 39
June [no. 2-151] (folders 10-19)	
June [no. 152-320] (folders 1-11)	Box 40
November [no. 1-141] (folders 12-20)	
November [no. 142-364] (folders 1-15)	Box 41

**35. 1735**

January [no. 2-76] (folders 16-20)	
January [no. 77-194] (folders 1-9)	Box 42
June [no. 2-167] (folders 10-20)	
June [no. 168-427] (folders 1-17)	Box 43
November [1-31] (folders 18-21)	
November [no. 32-318]	Box 44

**36. 1736**

January (folders 1-10)	Box 45
June [no. 1-127] (folders 11-20)	
June [no. 128- 382] (folders 1-16)	Box 46
July (folders 17-18)	
August (folder 19)	
November (folders 1-18)	Box 47

**37. 1737**

February [no. 1-27] (folders 19-20)	
February [no. 28-233] (folders 1-14)	Box 48
June [no. 1-91] (folders 15-21)	
June [no. 93-417]	Box 49
June [no. 418-542] (folders 1-8)	Box 50
November [no. 1-175] (folders 9-20)	
November [no. 176-439] (folders 1-17)	Box 51

Illustration 11

To the Sheriff of New London County or his Deputy or to  
 the Constable of the Town of New London within the County aforesaid  
 Whereas Presentment has been made to the Court Authority of the County  
 of New London by one of the Grand Jurors of the said County that  
 John Schackmaple and Isaac Ledyard both of the said County of New  
 London, together with James Keith, a Frenchman  
 residing in New London, contrary to the good and wholesome laws  
 of this Colony in a riotous and tumultuous manner in New London aforesaid  
 on the evening next after the 29 day of this instant April did assemble  
 together and by strong hand in a violent manner enter into the Chamber  
 of Robert Mackes of the said County of New London, where and where Richard Bunch, Constable  
 of the said County of New London, being in the power of God and the King leaving in  
 his custody by virtue of a process signed by Mr. Justice Richard of the  
 said County which warrant bears date April 29. 1737 the bodies of  
 John Keith and George Heis who were under arrest and under process  
 who being entered with strong hand did assault the Constable and his officers  
 and by force carry off the prisoners at which acts and breaches is contrary  
 to the good and wholesome laws of this Colony in such case provided  
 presentment made on this date April 30. 1737

This is to certify in his Majesty's name to Rogues and Conjurors  
 you or either of you, upon sight hereof the bodies of the said John  
 Schackmaple, Isaac Ledyard, Thomas Morrisson, James Keith, and  
 the others the King's officers and the Subscribers and such other  
 Authority as shall be convened together in New London aforesaid at the  
 Court of Sessions Richard in the said County of New London to be examined concerning  
 the premises and to be dealt with, as to Justice your duty  
 You are also hereby further required to summon John Wallcut,  
 Thomas Hobbs, Deyan Adams, Tho. Davis, John Cutler, John Hill, James  
 Felton, Nicholas Atkams, and Richard Bunch, all of the said County of New London that  
 they appear at the time and place as aforesaid in behalf of our  
 Lord the King touching the premises hereto set out and Return  
 this writ with your doing thereon, according to Law Dated at New  
 London, April 30. 1737

John Richard, Just. Pacis

A True Copy of the Original as on file  
 by Anne G. John Richards Just. Pacis

**Dom Rex v. John Schackmaple and Isaac Ledyard, 1737**  
**Case of riot in taking two prisoners from jail.<sup>167</sup>**

38. 1738

February [no. 4-40] (folders 18-20)

February [no. 42-288] (folders 1-16)

June [no. 1-52] (folders 17-20)

June [no. 59-371]

June [no. 372-497] (folders 1-10)

Box 52

Box 53

Box 54

<sup>167</sup> Ibid, Nov. 1737, Box 50, folder 15, no. 68.

November [no. 3-155] (folders 11-20)	
November [no. 156-364] (folders 1-17)	Box 55
<b>39. 1739</b>	
February [no. 1-41] (folders 18-20)	
February [no. 42-332] (folders 1-19)	Box 56
June [no. 1-283] (folders 1-20)	Box 57
June [no. 284-519] (folders 1-16)	Box 58
November [no. 2-66] (folders 17-20)	
November [no. 69-384] (folders 1-20)	Box 59
November [no. 385-438] (folders 1-4)	Box 60
<b>40. 1740</b>	
February [no. 3-257] (folders 5-20)	
February [no. 259-472] (folders 1-13)	Box 61
June [no. 1-117] (folders 14-20)	
June [no. 118-425] (folders 1-20)	Box 62
June [no. 426-652] (folders 1-14)	Box 63
November [no. 1-103] (folders 15-21)	
November [no. 104-441] (folders 1-20)	Box 64
November [no. 443-555] (folders 1-7)	Box 65
<b>41. 1741</b>	
February [no. 1-254] (folders 8-20)	
February [no. 255-431] (folders 1-10)	Box 66
June [no. 1-150] (folders 11-20)	
June [no. 151-507] (folders 1-21)	Box 67
June [no. 509-695] (folders 1-13)	Box 68
November [no. 1-145] (folders 14-21)	
November [no. 146-503] (folders 1-21)	Box 69
November [no. 504-616] (folders 1-7)	Box 70
<b>42. 1742</b>	
February [no. 2-240] (folders 8-21)	
February [no. 241-450] (folders 1-12)	Box 71
June [no. 1-139] (folders 13-21)	
June [no. 142-477] (folders 1-20)	Box 72

June [no. 478-634] (folders 1-9)	Box 73
November [no. 1-193] (folders 10-20)	
November [no. 194-334] (folders 1-8)	Box 74
<b>43. 1743</b>	
February [no. 2-228] (folders 9-20)	
February [no. 229-240] (folder 1)	Box 75
June [no. 1-336] (folders 2-20)	
November [no. 1-260] (folders 1-15)	Box 76
<b>44. 1744</b>	
February [no. 1-93] (folders 16-21)	
February [no. 94-207] (folders 1-7)	Box 77
June [no. 4-194] (folders 8-20)	
June [no. 195-205] (folder 1)	Box 78
June: no docket [Avery-Woodbridge] (folders 2-6)	
November [no. 1-163] (folders 7-17)	
November: no docket [Armstrong-Woodbridge] (folders 18-22)	
<b>45. 1745</b>	
February [no. 1-129] (folders 1-9)	Box 79
February: no docket [Billings-Winthrop] (folders 10-13)	
June [no. 1-116] (folders 14-20)	
June [no. 117-179] (folders 1-4)	Box 80
June: no docket [Abell-Woodbridge] (folders 5-10)	
November [no. 1-128] (folders 11-19)	
November: no docket [Andrus-Curtiss] (folder 20)	
November: no docket [Dom. Rex-Woodbridge] (folders 1-4)	Box 81
<b>46. 1746</b>	
February [no. 2-100] (folders 5-8)	
February: no docket [Abell-Williams] (folders 9-13)	
June [no. 2-129] (folders 14-20)	
June [no. 130-156] (folder 1)	Box 82
June: no docket [Armstrong-Woodbridge] (folders 2-7)	
November [no. 1-119] (folders 8-14)	
November: no docket [Avery-Wentworth] (folders 15-18)	
<b>47. 1747</b>	
February [no. 3-57] (folders 19-21)	
February [no. 58-66] (folder 1)	Box 83
February: no docket [Andres-Williams] (folders 2-4)	
June [no. 1-107] (folders 5-12)	
June: no docket [Almy-Woodbridge] (folders 13-18)	
November [no. 1-32] (folders 19-20)	

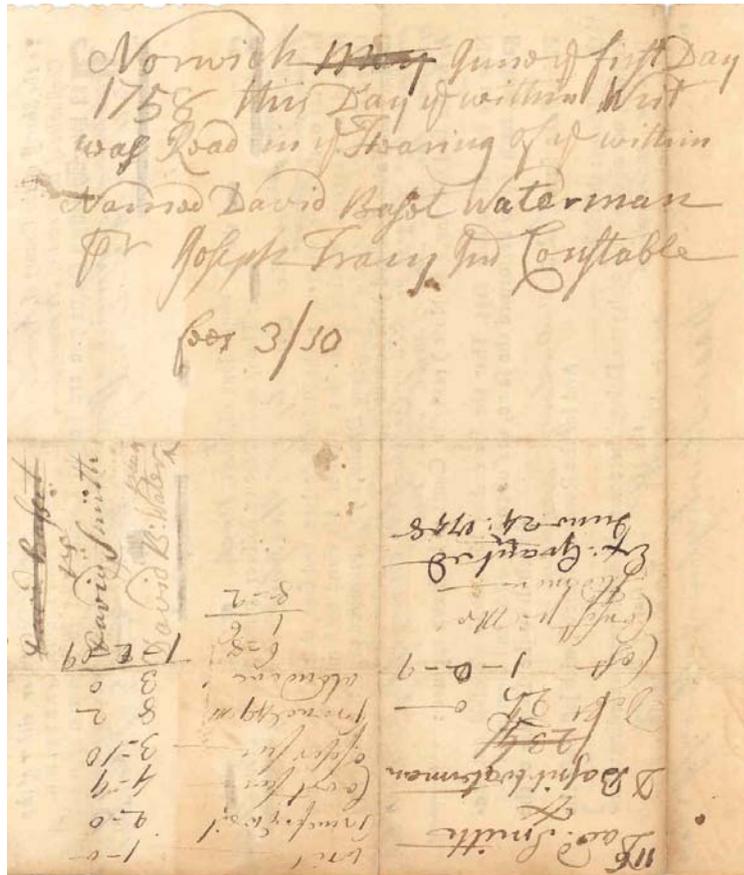
- November [no. 33-101] (folders 1-4) Box 84  
November: no docket [Armstrong-Wheeler] (folders 5-12)
- 48. 1748**  
February [no. 1-64] (folders 11-15)  
February: no docket [Abell-Woodbridge] (folders 16-19)  
June [no. 1-52] (folders 20-21)
- June [no. 53-130] (folders 1-4) Box 85  
June: no docket [Abell-Williams] (folders 5-9)  
August [no. 2-72] (folders 10-14)  
August: no docket [Barstow-Wood] (folders 15-17)  
November [no. 3-37] (folders 18-20)
- November [no. 40-79] (folders 1-3) Box 86  
November: no docket [Abell-Wright] (folders 4-8)
- 49. 1749**  
February [no. 1-46] (folders 9-12)  
February: no docket [Allen-Wickwire] (folders 13-15)  
June [no. 3-95] (16-21)
- June [no. 97-127] (folders 1-2) Box 87  
June: no docket [Backus-Winchester] (folders 3-7)  
November [no. 1-149] (folders 8-17)  
November: no docket [Abell-Mayhem] (folders 18-21)
- November: no docket [Merrill-Yeomans] (folders 1-3) Box 88
- 50. 1750**  
February [no. 1-133] (folders 4-12)  
February: no docket [Allyn-Yeomans] (folders 13-18)  
June [no. 1-44] (folders 19-21)
- June [no. 46-160] (folders 1-7) Box 89  
June: no docket [Allen-Williams] (folders 8-14)  
November [no. 1-88] (folders 15-20)
- November [no. 89-151] (folders 1-4) Box 90  
November: no docket [Adgate-Wickwire] (folders 5-10)
- 51. 1751**  
February [no. 3-84] (folders 11-16)  
February: no docket [Arnold-Winchester] (folders 18-22)
- June [no. 1-152] (folders 1-9) Box 91  
June: no docket [Allen-Dow. Roy] (folders 10-16)  
November [no. 1-81] (folders 17-21)
- November [no. 82-189] (folders 1-7) Box 92  
November: no docket [Abell-Woodbridge] (folders 8-15)
- 52. 1752**  
February [no. 1-105] (folders 16-21)

February: no docket [Allen-Woodbridge] (folders 1-8) Box 93  
 June [no. 1-231] (folders 9-20)

June: no docket [Abell-Yarington] (folders 1-8) Box 94  
 August [no. 1- 112] (folders 9-16)  
 August: no docket [Adams-Worthylake] (folders 17-21)

November [no. 2-195] (folders 1-10) Box 95  
 November: no docket [Abell-Young] (folders 11-17)

**Illustration 12**



**Verso of *David Smith v. David Basset Waterman*,  
 Shows serving of writ, costs, disposition of case, and date execution  
 granted.<sup>168</sup>**

**53. 1753**

February [no. 1-29] (folders 18-20)

February [no. 40-158] (folders 1-7) Box 96  
 February: no docket [Andrus-Woodward] (folders 8-14)  
 June [no. 1-97] (folders 15-20)

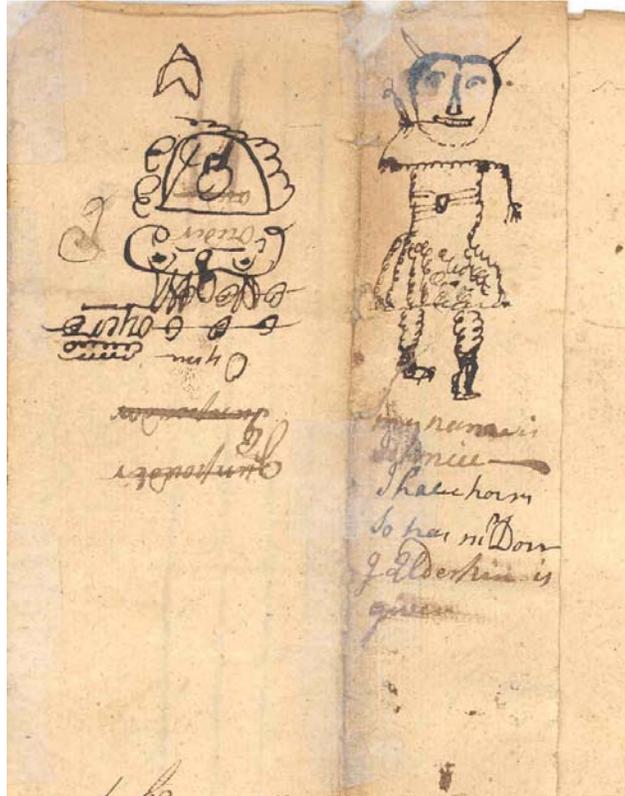
<sup>168</sup> Ibid, June 1758, Box 109, folder 10, no. 116.

June [no. 104-188] (folders 1-4)	Box 97
June: no docket [Allyn-Yeomans] (folders 5-12)	
July [no. 2-62] (folders 13-16)	
July: no docket [Avery-Wait] (folders 17-18)	
November [no. 3-55] (folders 19-21)	
November [no. 56-192] (folders 1-6)	Box 98
November: no docket [Allen-Williams] (folders 7-14)	
<b>54. 1754</b>	
February [no. 2-111] (folders 15-19)	
February, adjourned [no.5-18] (folder 20)	
February, adjourned [no. 19-45] (folder 1)	Box 99
February: no docket [Allen-Woodbridge] (folders 2-7)	
April [no. 3-41] (folder 8)	
June [no. 6-182] (folders 9-19)	
June: no docket [Adams-Coit] (folders 20-21)	
June: no docket [Davison-Woods] (folders 1-7)	Box 100
November [no. 2-221] (folders 8-19)	
November: no docket [Allen-Gardiner] (folders 20-21)	
November: no docket [Grent-Wickwire] (folders 1-4)	Box 101
<b>55. 1755</b>	
February [no. 3-152] (folders 5-12)	
February: no docket [Abell-Tracy] (folders 14-21)	
February: no docket [Treasurer-Woodbridge] (folder 1)	Box 102
June [no. 3-194] (folders 2-14)	
June: no docket [Abell-Rogers] (folders 15-21)	
June: no docket [Roland-Woodworth] (folders 1-2)	Box 103
November [no. 2-179] (folders 3-11)	
November: no docket [Allyn-Wright] (folders 12-17)	
<b>56. 1756</b>	
February [no. 1-53] (folders 18-20)	
February [no. 55-123] (folders 1-4)	Box 104
February: no docket [Alger-Wood] (folders 5-10)	
June [no. 1-175] (folders 11-19)	
June: no docket [Alden-Chesebrough] (folder 20)	
June: no docket [Clark-Williams] (folders 1-6)	Box 105
November [no. 2-174] (folders 7-15)	
November: no docket [Ames-Robertson] (folders 16-20)	
November: no docket [Rogers-Yeomans] (folders 1-2)	Box 106
<b>57. 1757</b>	
February [no. 5-112] (folders 3-7)	
February: no docket [Allyn-Wood] (folders 8-12)	
June [no. 15-120] (folders 13-20)	

June [no. 121-200] (folders 1-5)	Box 107
June: no docket [Abell-York] (folders 6-13)	
November [no. 2-139] (folders 14-21)	
November [no. 139-167] (folders 1-2)	Box 108
November: no docket [Abell-Waller] (folders 3-8)	
<b>58. 1758</b>	
February [no. 2-106] (folders 9-14)	
February: no docket [Abel-Yeomans] (folders 15-20)	
June [no. 2-151] (folders 1-11)	Box 109
June: no docket [Allen-Woodward] (folders 12-18)	
November [no. 2-26] (folders 19-20)	
November [no. 27-112] (folders 1-6)	Box 110
November: no docket [Andrews-Williams] (folders 7-12)	
<b>59. 1759</b>	
February [no. 2-131] (folders 13-18)	
February: no docket [Ackley-Lothrop] (folders 19-22)	
February: no docket [Lowden-Williams] (folders 1-3)	Box 111
June [no. 8-187] (folders 4-13)	
June: no docket [Adams-Wright] (folders 14-21)	
November [no. 4-179] (folders 1-13)	Box 112
November: no docket [Allen-Williams] (folders 14-22)	
<b>60. 1760</b>	
February [no. 4-134] (folders 1-7)	Box 113
February: no docket [Appleton-Woodworth] (folders 8-14)	
June [no. 2-106] (folders 15-22)	
June [no. 108-242] (folders 1-7)	Box 114
June: no docket [Austin-Worden] (folders 8-17)	
November [no. 1-109] (folders 18-22)	
November [no. 110-231] (folders 1-7)	Box 115
November: no docket [Abell-Worden] (folders 8-15)	
<b>61. 1761</b>	
February [no. 1-126] (folders 16-22)	
February [no. 128-223] (folders 1-5)	Box 116
February: no docket [Abell-Woodward] (folders 6-13)	
June [no. 1-193] (folders 14-21)	
June [no. 194-449] (folders 1-14)	Box 117
June: no docket [Abell-Minor] (folders 15-21)	
June: no docket [Moor-Wright] (folders 1-5)	Box 118
November [no. 2-292] (folders 6-20)	

November [no. 293-502] (folders 1-10) Box 119  
November: no docket [Abell-Stewart] (folders 11-21)  
November: no docket [Stodder-York] (folders 1-2) Box 120

**Illustration 13**



**Most court documents look extremely dull, but these drawings were found on the reverse of *David Dewey v. Rufus Miner*.<sup>169</sup> The lawyers referred to are George Dorr and John Elderkin.**

**62. 1762**

February [no. 2-345] (folders 3-20)  
February [no. 346-382] (folders 1-2) Box 121  
February: no docket [Abel-Wright] (folders 3-13)  
June [no. 1-139] (folders 14-21)  
June [no. 140-530] (folders 1-20) Box 122  
June [no. 531-586] (folders 1-3) Box 123  
June: no docket [Adsit-Wood] (folders 4-18)  
November [no. 3-79] (folders 19-21)  
November [no. 80-460] (folders 1-21) Box 124

<sup>169</sup> Ibid, Nov. 1764, Box 135, folder 14.

November [no. 461-500] (folders 1-3) November: no docket (folders 4-13)	Box 125
<b>63. 1763</b>	
February [no. 1-116] (folders 14-20)	
February [no. 117-328] (folders 1-12) February: no docket [Allen-Skinner] (folders 13-21)	Box 126
February: no docket [Smith-Dom Rex] (folders 1-2)	Box 127
June [no. 1-338] (folders 3-20)	
June [no. 339-539] (folders 1-13) June: no docket [Abell-Jeffrey] (folders 14-20)	Box 128
June: no docket [Keley-York] (folders 1-7)	Box 129
November [no. 1-246] (folders 8-20)	
November [no. 247-427] (folders 1-8) November: no docket [Abott-Wright] (folders 9-18)	Box 130
<b>64. 1764</b>	
February [no. 1-72] (folders 19-21)	
February [no. 61-352] (folders 1-15) February: no docket [Allyn-Lord, Elisha] (folders 16-20)	Box 131
February: no docket [Lord, Hezekiah-Williams] (folders 1-5) June [no. 5-293] (folders 6-21)	Box 132
June [no. 294-432] (folders 1-7) June: no docket [Allen-York] (folders 8-21)	Box 133
November [no. 10-400] (folders 1-21)	Box 134
November [no. 401-423] (folder 1) November: no docket [Abell-York] (folders 2-12)	Box 135
<b>65. 1765</b>	
February [no. 1-151] (folders 13-21)	
February [no. 155-337] (folders 1-11) February: no docket [Andrus-Smith] (folders 12-20)	Box 136
February: no docket [Standish-Woodward] (folders 1-2) June [no. 1-378] (folders 3-21)	Box 137
June [no. 380-451] (folders 1-5) June: no docket (folders 6-19) September (folder 20) November (folder 21)	Box 138

**66. 1766**

April (folder 22)

June [no. 1-303] (folders 1-21) Box 139

June [no. 304-465] (folders 1-13) Box 140  
 June: no docket [Adgate-Lothrop] (folders 14-21)

June: no docket [Mason-York] (folders 1-7) Box 141  
 November [no. 1-280] (folders 8-21)

November [no. 281-409] (folders 1-8) Box 142  
 November: no docket (folders 9-20)

**67. 1767**

February [no. 1-212] (folders 1-11) Box 143  
 February: no docket (folders 12-17)  
 June [no. 1-60] (folders 18-21)

June [no. 61-364] (folders 1-18) Box 144  
 June: no docket [Allin-Emerson] (folders 19-21)

June: no docket [Fillmore-Worthington] (folders 1-7) Box 145  
 November [no. 4-267] (folders 8-21)

November [268-279] (folder 1) Box 146  
 November: no docket [Allyn-Young] (folders 2-10)

**68. 1768**

February [no. 6-168] (folders 11-21)

February [no. 169-193] (folders 1-2) Box 147  
 February: no docket [Allen-Wood] (folders 3-10)  
 June [no. 3-201] (folders 11-21)

June [no. 203-292] (folders 1-5) Box 148  
 June: no docket [Andrus-Young] (folders 6-14)  
 November [no. 2-100] (folders 15-21)

November [no. 101-253] (folders 1-9) Box 149  
 November: no docket [Abel-Williams] (folders 10-19)

**69. 1769**

February: no docket [Adams-Belden] (folders 20-21)

February [Bellows-York] (folders 1-16) Box 150  
 June [Anesley-Christophers] (folders 17-21)

June [Clark-York] Box 151

November [Allyn-Whipple] Box 152

November [Whiting-Worthington] (folder 1) Box 153

70. 1770

February [Abell-Woodward] (folders 2-17)  
June [Adams-Brewster, Jonathan] (folders 18-20)

June [Brewster, Joseph-Shaw]

Box 154

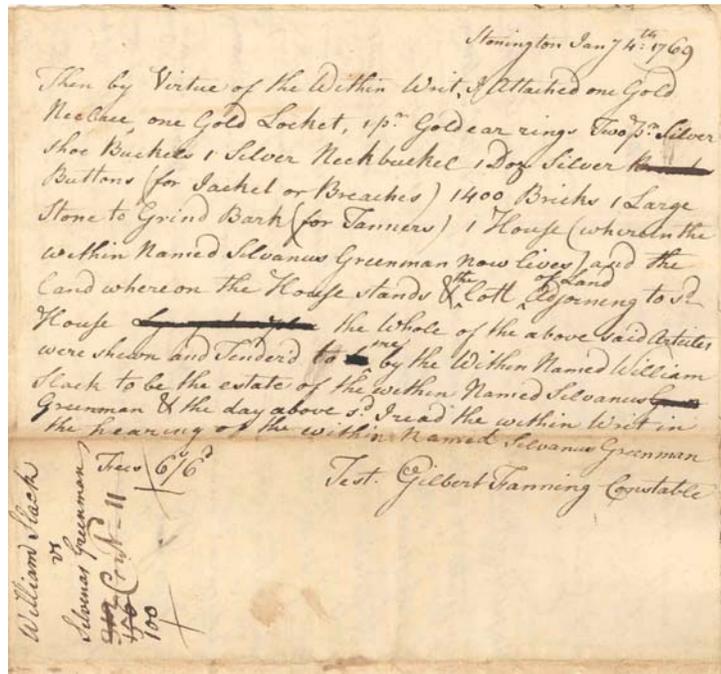
June [Sheffield-Whittelsey] (folders 1-6)  
November [Atkins-Punderson] (folders 7-20)

Box 155

November [Ransom-York] (folders 1-4)

Box 156

Illustration 14



William Slack v. Silvanus Greenman, 1769  
Example of attachment of personal and real property<sup>170</sup>

71. 1771

February [Adams-Worden] (folders 5-20)

June [Alger-Morgan]

Box 157

June [Morse-York] (folders 1-10)  
November [Abell-Hubbard] (folders 11-20)

Box 158

November [Huntington-Yerrington] (folders 1-15)

Box 159

72. 1772

February [Adams-Ely] (folders 16-20)

<sup>170</sup> Ibid, Feb. 1769, Box 150, folder 14.

February [Fanning-Woodworth] (folders 1-9)	Box 160
June [Adams-Furbush] (folders 10-20)	
June [Gardner-Wetmore]	Box 161
June [Wheat-Yerrington] (folders 1-3)	Box 162
November [Adams-Morgan] (folders 4-20)	
November [Mott-Woodbridge] (folders 1-10)	Box 163
<b>73. 1773</b>	
February [Andrus-Lay] (folders 11-20)	
February [Leach-Woodbridge] (folders 1-8)	Box 164
June [Adams-Gardiner] (folders 9-20)	
June [Geer-Yarrington] (folders 1-18)	Box 165
November [Adams-Budington] (folders 19-21)	
November [Bulkley-Wright]	Box 166
<b>74. 1774</b>	
February [Abell-Witter] (folders 1-16)	Box 167
June [Adams-Darrow] (folders 17-21)	
June [Dart-Truman]	Box 168
June [Trumbull-York] (folders 1-4)	Box 169
November [Adams-Noyes] (folders 5-19)	
November [Page-Wright]	Box 170
<b>75. 1781</b>	
November (no. 1-302) (folders 1-14)	Box 171
November: no docket [Allen-Governor and Company] (folders 15-20)	
November: no docket [Governor and Company-Young] (folders 1-10)	Box 172
<b>76. 1782</b>	
February (no. 1-148) (folders 11-23)	
February [no. 150-256] (folders 1-8)	Box 173
February: no docket [Andrus-Youngs] (folders 9-22)	
June [no. 1-331] (folders 1-20)	Box 174
June [no. 332-365] (folders 1-2)	Box 175
June: no docket [Ames-Wright] (folders 3-14)	
November [no. 2-187] (folders 15-21)	
November [no. 188-365] (folders 1-8)	Box 176
November: no docket [Allen-Wright] (folders 9-18)	
<b>77. 1783</b>	

February [no. 1-57] (folders 19-21)	
February [no. 59-512] (folders 1-17)	Box 177
February: no docket [Abell-Buel] (folders 18-19)	
February: no docket [Butler-York] (folders 1-11)	Box 178
June [no. 1-121] (folders 12-20)	
June [no. 122-399] (folders 1-22)	Box 179
June [no. 402-616] (folders 1-18)	Box 180
June: no docket [Allen-Woodbridge] (folders 1-22)	Box 181
November [no. 2-28] (folders 23-24)	
November [no. 32-369] (folders 1-21)	Box 182
November [no. 370-688] (folders 1-24)	Box 183
November: no docket [Allen-Button] (folders 25-26)	
November: no docket [Capron-Yarrington] (folders 1-13)	Box 184
<b>78. 1784</b>	
February [no. 1-84] (folders 14-21)	
February [no. 85-417] (folders 1-21)	Box 185
February [no. 418-463] (folders 1-4)	Box 186
February: no docket [Allen-Woodbridge] (folders 5-14)	
June [no. 3-123] (folders 15-21)	
June [no. 124-463] (folders 1-21)	Box 187
June [no. 465-540] (folders 1-4)	Box 188
June: no docket [Abbott-Young] (folders 5-18)	
November [no. 1-375] (folders 1-21)	Box 189
November [no. 376-444] (folders 1-4)	Box 190
November: no docket [Ashcraft-York] (folders 5-15)	
<b>79. 1785</b>	
February [no. 3-92] (folders 16-20)	
February [no. 93-304] (folders 1-13)	Box 191
February: no docket [Abell-York] (folders 14-20)	
June [no. 1-335] (folders 1-20)	Box 192
June [no. 336-473] (folders 1-7)	Box 193
June: no docket [Abbot-York] (folders 8-17)	
November [no. 3-11] (folders 18-19)	
November [no. 12-374] (folders 1-18)	Box 194
November [no. 379-489] (folders 1-4)	Box 195
November: no docket [Adams-York] (folders 5-13)	

**80. 1786**

February [no. 1-56] (folders 14-17)

February [no. 57-332] (folders 1-20) Box 196

February: no docket [Allyn-Woodbridge] (folders 1-11) Box 197  
June [no. 1-98] (folders 12-20)

June [no. 105-386] (folders 1-18) Box 198

June [no. 387-454] (folders 1-3) Box 199  
June: no docket [Abbe-York] (folders 4-12)  
November [no. 5-204] (folders 13-19)

November [no. 205-484] (folders 1-11) Box 200  
November: no docket [Ames-Wright] (folders 12-21)

**83. 1787**

February [no. 1-899] (folders 1-20) Box 201

February [no. 190-352] (folders 1-13) Box 202  
February: no docket [Allen-Woodward] (folders 14-21)

June [no. 1-291] (folders 1-21) Box 203

June [no. 292-435] (folders 1-9) Box 204  
June: no docket [Adams-York] (folders 10-19)  
November [no. 14-44] (folders 20-22)

November [no. 48-323] (folders 1-21) Box 205

November: no docket [Amory-Worthington] (folders 1-11) Box 206

**83. 1788**

February [no. 1-163] (folders 12-21)

February [no. 164-288] (folders 1-9) Box 207  
February: no docket [Allen-Worthington] (folders 10-21)

June [no. 1-246] (folders 1-22) Box 208

June [no. 247-410] (folders 1-17) Box 209  
June: no docket [Alexander-Gibbs] (folders 18-21)

June: no docket [Gillet-Worthington] (folders 1-8) Box 210  
December [no. 2-150] (folders 9-20)

December [no. 151-340] (folders 1-21) Box 211

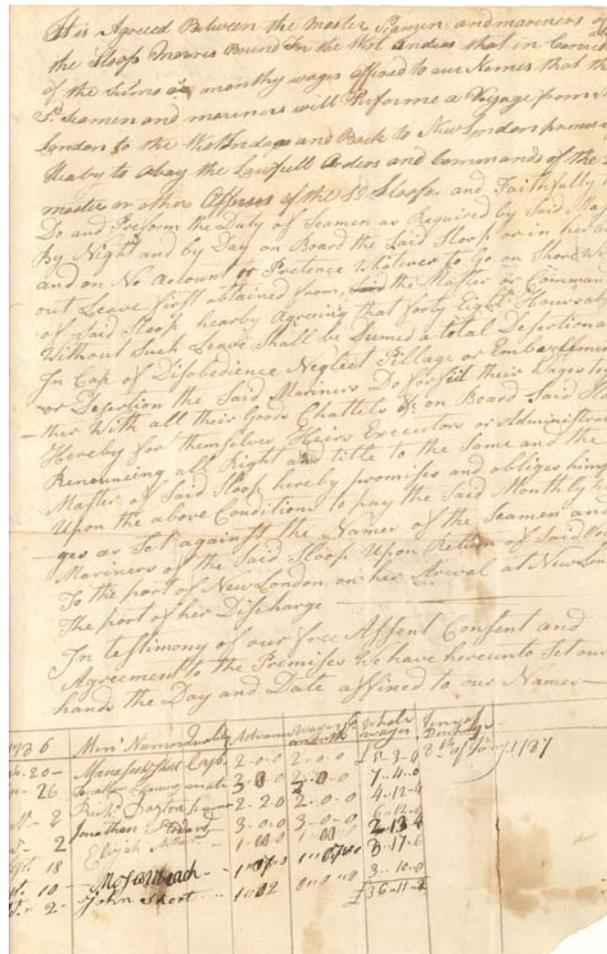
December [no. 342-354] (folder 1) Box 212  
December: no docket [Avery-Wright] (folders 2-11)

**83. 1789**

April (folder 12)

- February [no. 1-98] (folders 13-21)  
 February [no. 99-179] (folders 1-8) Box 213  
 February: no docket [Allen-Worthington] (folders 9-14)  
 June [no. 1-57] (folders 15-21)
- June [no. 59-242] (folders 1-20) Box 214
- June [no. 243-339] (folders 1-8) Box 215  
 June: no docket [Adams-Worthington] (folders 9-19)  
 December [no. 1-31] (folders 20-21)
- December [no. 35-301] (folders 1-21) Box 216
- December [no. 303-341] (folders 1-4) Box 217  
 December: no docket [Aldridge-Worthington] (folders 5-13)

**Illustration 15**



**Contract between master and seamen of sloop *Morris* for voyage to West Indies.<sup>171</sup>**

<sup>171</sup> *Elijah Arthur v. Jedediah Leet*, Ibid, Box 223, folder 18, no. 74.

**84. 1790**

February [no. 1-72] (folders 14-20)

February [no. 76-198] (folders 1-14) Box 218  
February: no docket [Babcock-Woodbridge] (folders 15-20)

June [no. 1-224] (folders 1-20) Box 219

June [no. 225-298] (folders 1-6) Box 220  
June: no docket [Alexander-Woodbridge] (folders 7-13)  
November [no. 2-166] (folders 14-22)

November [no. 167-240] (folders 1-6) Box 221  
November: no docket [Allyn-York] (folders 7-11)

**85. 1791**

February [no. 7-135] (folders 12-20)

February [no. 136-155] (folders 1-2) Box 222  
February: no docket [Amory-Woodbridge] (folders 3-6)  
June [no. 1-197] (folders 7-20)

June [no. 199-252] (folders 1-3) Box 223  
June: no docket [Abell-Worthington] (folders 4-10)  
November [no. 1-112] (folders 11-20)

November [no. 113-187] (folders 1-7) Box 224  
November: no docket [Babcock-Wright] (folders 8-12)

**86. 1792**

February [no. 1-98] (folders 13-20)

February [no. 99-128] (folders 1-2) Box 225  
February: no docket [Armstrong-Worthington] (folders 3-6)  
June [no. 3-174] (folders 7-20)

June [no. 175-264] (folders 1-5) Box 226  
June: no docket [Allen-Wright] (folders 6-14)  
December [no. 2-135] (folders 15-21)

December [no. 137-194] (folders 1-5) Box 227  
December: no docket [Beebe-Wright] (folders 6-10)

**87. 1793**

February [no. 2-127] (folders 11-17)  
February: no docket [Babcock-Williams] (folders 18-20)

June [no. 5-189] (folders 1-15) Box 228  
June: no docket [Allyn-Root] (folders 16-20)

June: no docket [Rost-York] (folders 1-3) Box 229  
November [no. 2-146] (folders 4-13)  
November: no docket [Beckwith-Woodbridge] (folders 14-17)

**88. 1794**

February [no. 3-56] (folders 18-21)

February [no. 57-118] (folders 1-5) Box 230

February: no docket [Alsop-Wright] (folders 6-10)

June [no. 2-155] (folders 11-20)

June [no. 157-195] (folders 1-2) Box 231

June: no docket [Adams-Wright] (folders 3-7)

November [no. 1-168] (folders 8-20)

November [no. 169-188] (folders 1-2) Box 232

November: no docket [Austin-Woodbridge] (folders 3-7)

**89. 1795**

February [no. 4-153] (folders 8-17)

February: no docket [Backus-York] (folders 18-20)

June [no. 1-159] (folders 1-13) Box 233

June: no docket [Alexander-Worthington] (folders 14-20)

November [no. 1-129] (folders 1-8) Box 234

November: no docket [Adams-Worthington] (folders 9-12)

**90. 1796**

February [no. 1-85] (folders 13-18)

February: no docket [Ayers-Worthington] (folders 19-20)

April [no. 2-9] (folder 1) Box 235

June [no. 2-205] (folders 2-15)

June: no docket [Arnold-Wylie] (folders 16-20)

November [no. 1-156] (folders 1-11) Box 236

November: no docket [Arthur-Woodworth] (folders 12-15)

**91. 1797**

February [no. 2-108] (folders 16-20)

February [no. 112-189] (folders 1-4) Box 237

February: no docket [Abel-Woodward] (folders 5-9)

June [no. 1-118] (folders 10-20)

June [no. 119-343] (folders 1-15) Box 238

June: no docket [Armstrong-Moore] (folders 16-20)

June: no docket [Moore-Young] (folders 1-4) Box 239

November [no. 4-216] (folders 5-20)

November [no. 217-288] (folders 1-5) Box 240

November: no docket [Allen-Young] (folders 6-12)

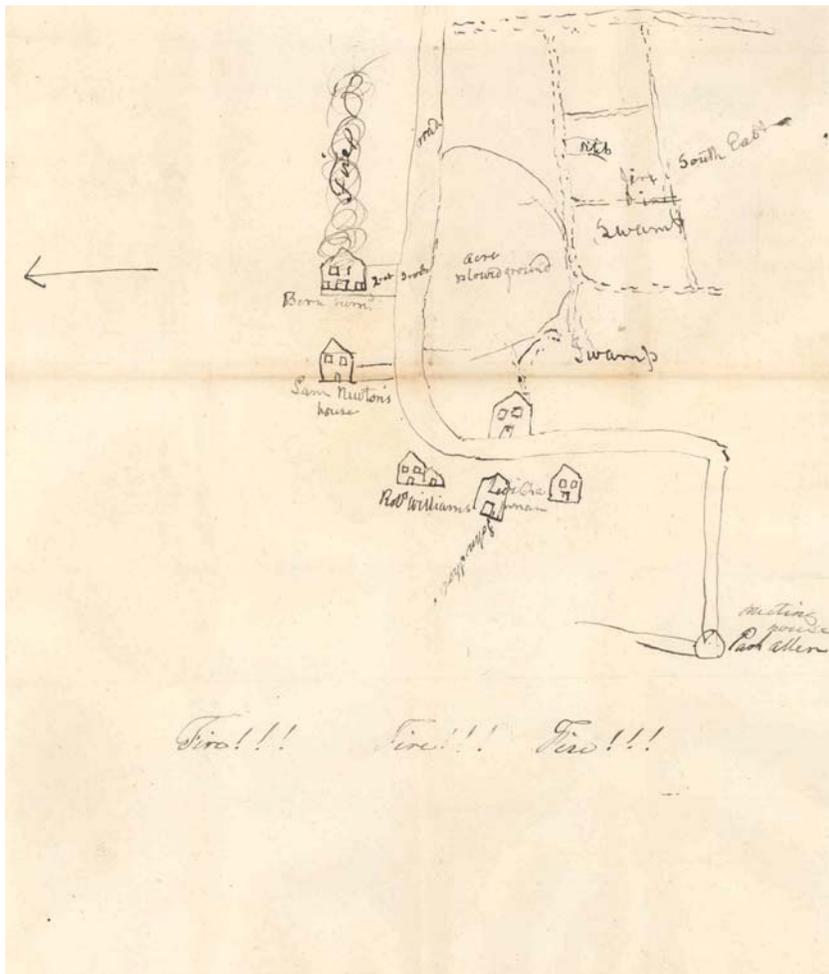
**92. 1798**

February [no. 1-106] (folders 13-20)

February [no. 107-162] (folders 1-5)	Box 241
February: no docket (Allyn-Williams) (folders 6-9)	
June [no. 2-123] (folders 10-20)	
June [no. 124-255] (folders 1-12)	Box 242
June: no docket [Allyn-Whiting] (folders 13-19)	
December [no. 6-43] (folders 20-21)	
December [no. 47-245] (folders 1-14)	Box 243
December: no docket [Armstrong-Williams] (folders 15-20)	
<b>93. 1799</b>	
February [no. 1-167] (folders 1-13)	Box 244
February: no docket [Avery-Wilson] (folders 14-17)	
June [no. 2-31] (folders 18-20)	
June [no. 32-277] (folders 1-18)	Box 245
June: no docket [Adams-Clark] (folders 19-20)	
June: no docket [Clark-Yerrington] (folders 1-6)	Box 246
December [no. 4-249] (folders 7-20)	
December [no. 250-329] (folders 1-5)	Box 247
December: no docket [Adams-York] (folders 6-13)	
<b>94. 1800</b>	
February [no. 2-115] (folders 14-19)	
February [no. 116-228] (folders 1-9)	Box 248
February: no docket [Armstrong-Williams] (folders 10-16)	
June [no. 1-51] (folders 17-21)	
June [no. 52-309] (folders 1-22)	Box 249
June: no docket [Allen-Brown] (folders 23-24)	
June: no docket [Browne-Wyoggs] (folders 1-9)	Box 250
December [no. 2-243] (folders 10-26)	
December [no. 244-350] (folders 1-6)	Box 251
December: no docket [Averill-Williams] (folders 7-15)	
<b>95. 1801</b>	
February [no. 4-101] (folders 16-24)	
February [no. 103-250] (folders 1-13)	Box 252
February: no docket [Abell-Williams] (folders 14-24)	
June [no. 1-27] (folders 25-27)	
June [no. 28-311] (folders 1-29)	Box 253
June [no. 312-381] (folders 1-6)	Box 254
June: no docket [Abell-Worthington] (folders 7-19)	
December [no. 1-97] (folders 20-30)	
December [no. 98-350] (folders 1-23)	Box 255
December: no docket [Ames-Button] (folders 24-25)	

- December: no docket [Capron-Woodward] (folders 1-8) Box 256
- 96. 1802**  
March [no. 1-212] (folders 9-24)  
March: no docket [Ash-Carpenter] (folder 25)
- March: no docket [Chappell-York] (folders 1-7) Box 257  
June [no. 1-226] (folders 8-25)
- June [no. 227-295] (folders 1-7) Box 258  
June: no docket [Avery-Yeomans] (folders 8-16)  
November [no. 1-135] (folders 17-25)
- November [no. 135-330] (folders 1-15) Box 259  
November: no docket [Avery-Woodworth] (folders 16-23)

**Illustration 16**



**Map showing location of arson. Note barn with smoke and word fire.<sup>172</sup>**

<sup>172</sup> *Samuel Newton et al v. John Sholes*, Ibid, Dec. 1801, Box 255, folder 12, no. 262

**97. 1803**

March [no. 1-31] (folder 24)

March [no. 32-160] (folders 1-10) Box 260  
 March: no docket [Babcock –Williams] (folders 11-15)  
 June [no. 1-115] (folders 16-23)

June [no. 116-295] (folders 1-11) Box 261  
 June: no docket [Allyn-Young] (folders 12-19)  
 November [no. 7-63] (folders 20-22)

November [no. 64-244] (folders 1-12) Box 262  
 November: no docket [Abell-Woodward] (folders 13-21)

**98. 1804**

February [no. 1-36] (folders 22-23)

February [no. 38-172] (folders 1-9) Box 263  
 February: no docket [Aaron-York] (folders 10-13)  
 June [no. 2-115] (folders 14-24)

June [no. 116-263] (folders 1-10) Box 264  
 June: no docket [Ame-York] (folders 11-17)  
 November [no. 2-90] (folders 18-24)

November [no. 94-244] (folders 1-13) Box 265  
 November: no docket [Abbott-Wyles] (folders 14-21)

**99. 1805**

March [no. 5-73] (folders 22-25)

March [no. 74-179] (folders 1-6) Box 266  
 March: no docket [Andrews-Worden] (folders 7-11)  
 June [no. 1-183] (folders 12-24)

June [no. 186-244] (folders 1-4) Box 267  
 June: no docket [Abel-York] (folders 5-12)  
 December [no. 11-202] (folders 13-23)

December [no. 204-254] (folders 1-4) Box 268  
 December: no docket [Atwell-Woodbridge] (folders 5-11)

**100. 1806**

March [no. 1-156] (folders 12-20)  
 March: no docket [Armstrong-Gray] (folders 21-22)

March: no docket [Handy-Wright] (folders 1-4) Box 269  
 June [no. 2-274] (folders 5-21)

June: no docket [Ayers-Woodward] (folders 1-6) Box 270  
 November [no. 2-287] (folders 7-21)

November [no. 291-344] (folders 1-3) Box 271  
 November: no docket [Allen-Willson] (folders 4-12)

Illustration 17

To the Sheriff of New London County his Deputy or either Constable of the town of Lyme in said County Greeting

By authority of the State of Connecticut you are hereby commanded to summon Moses Warren of Lyme in said County to appear before the <sup>County Court</sup> ~~the Court~~ to be holden at New London City in said County on the ~~first~~ <sup>second</sup> Tuesday of June in ~~the year of our Lord~~ <sup>the year of our Lord</sup> next then and there to answer unto Samuel Green Lyman Law Benjamin Perkins Amos Ledy Nathaniel Newitt James Baxter Bracon Lacey Tho Litcher Elias Perkins William Richard ~~Mathias~~ David Coit John & Brice Alexander Morgan Wm P. Cleveland John French Robert Alyn John A. Tutton Samuel P. Titch Jos. Bellanning Jeremiah G. Brainard Hisha Hummer Nat Ledyard Abner Woodward Hubbel Brooks Tho. H. Lewis Charles Seabury James Edgerton Isaac Tracy Johnston M. Penaccon George Chapman <sup>James Montgomery</sup> Rufus Gardner Joseph Skinner Joseph Hodge Daniel Hull all of New London in the town of Lyme in said County and Wm Good Joseph H. Hart Philip Cambridge & Charles Whitehead <sup>Benjamin</sup> Henry Avery David Ledyard James Mitchell Lodowick Ledy David Mitchell Gazer Avery Watten Burdick Thos Avery <sup>John M. Munn</sup> Alexander Alyn & Hester Munn Nathan Alyn all of Groton in said County Wm P. Ledyard of the town of Bath in Province of Maine Richard Dwyer

Lawsuit by New London Mason with list of names.<sup>173</sup>

101. 1807

March [no. 3-150] (folders 13-20)

March [no. 151-272], no docket (folders 1-6)

Box 272

June [no. 5-199] (folders 7-20)

June [no. 200-487] (folders 1-20)

Box 273

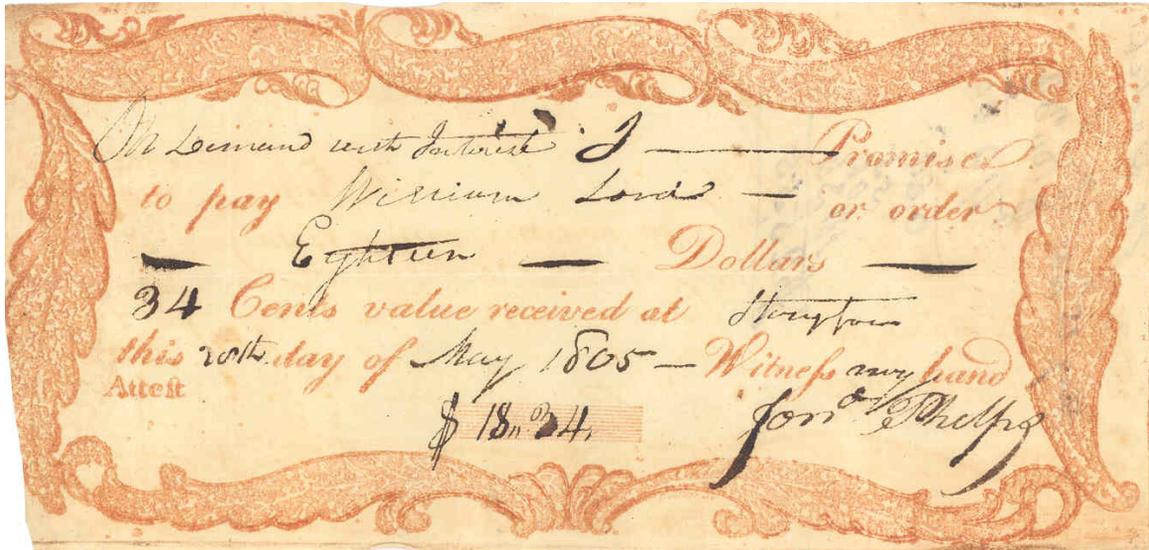
<sup>173</sup> Samuel Green et al v. Moses Warren, Ibid, June 1806, Box 270, folder 3. Prominent New London Masons listed include Lyman Law, Elias Perkins, William P. Cleaveland, and Jeremiah G. Brainard

December [no. 1-14] (folder 21)	
December [no. 16-323] (folders 1-20)	Box 274
December [no. 324-443] (folders 1-9)	Box 275
<b>102. 1808</b>	
March [no. 1-171] (folders 10-21)	
March [no. 172-368, no docket] (folders 1-14)	Box 276
June [no. 3-83] (folders 15-21)	
June [no. 88-428] (folders 1-21)	Box 277
June [no. 429-758, no docket] (folders 1-21)	Box 278
November [no. 4-366] (folders 1-20)	Box 279)
November [no. 367-545] (folders 1-13)	Box 280
<b>103. 1809</b>	
March [no. 6-132] (folders 14-21)	
March [no. 133-307, no docket] (folders 1-13)	Box 281
June [no. 1-115] (folders 14-21)	
June [no. 116-356] (folders 1-20)	Box 282
June [no. 359-391] (folders 1-2)	Box 283
June: no docket [Abel-Yelverton] (folders 3-12)	
December [no. 3-146] (folders 13-22)	
December [no. 147-359] (folders 1-16)	Box 284
December: no docket [Adams-Young] (folders 17-22)	
<b>104. 1810</b>	
March [no. 1-274] (folders 1-16)	Box 285
June [no. 1-99] (folders 17-20)	
June [no. 100-442] (folders 1-20)	Box 286
June: no docket (folder 21)	
December [no. 1-346] (folders 1-17)	Box 287
December [no. 347-398] (folders 1-3)	Box 288
<b>105. 1811</b>	
March [no. 1-249] (folders 1-17)	
June [Allyn-Perkins] (folders 1-20)	Box 289
June [Phelps-Woodbridge] (folders 1-12)	Box 290
December [Allen-Deming] (folders 13-20)	
December [Denison-Russell] (folders 1-21)	Box 291

December [Scovell-York] (folders 1-10)

Box 292

**Illustration 18**



**Handsome partially printed debt by note.<sup>174</sup>**

**106. 1812**

March [no. 4-110] (folders 11-20)

March [no. 111-343] (folders 1-21)

Box 293

June [no. 1-224] (folders 1-20)

Box 294

June [no. 225-347] (folders 1-13)

Box 295

December [no. 2-100] (folders 14-21)

December [no. 101-301] (folders 1-22)

Box 296

December [no. 302-337] (folders 1-4)

Box 297

**107. 1813**

March [no. 1-186] (folders 5-21)

March [no. 188-293] (folders 1-9)

Box 298

June [no. 9-183] (folders 10-21)

June [no. 184-276] (folders 1-10)

Box 299

December [no. 1-87] (folders 11-20)

December [no. 88-267] (folders 1-20)

Box 300

December [no. 268-307] (folders 1-4)

Box 301

**108. 1814**

<sup>174</sup> Jonathan Phelps v. William Lord, Ibid, Dec. 1811, Box 291, folder 13, no. 122.

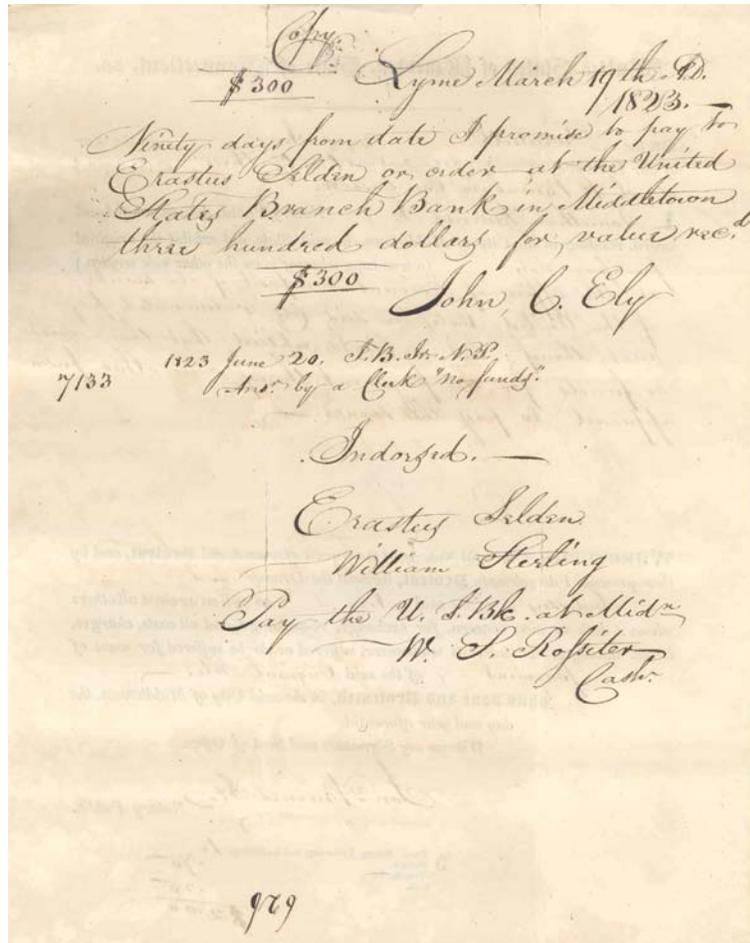
March [no. 2-159] (folders 5-21)	
March [no. 160-202] (folders 1-4)	Box 302
June [no. 1-129] (folders 5-20)	
June [no. 130-253] (folders 1-11)	Box 303
December [no. 1-124] (folders 12-21)	
December [no. 125-321] (folders 1-21)	Box 304
December [no. 322-329] (folders 1-2)	Box 305
<b>109. 1815</b>	
March [no. 1-182] (folders 3-20)	
March [no. 183-286] (folders 1-12)	Box 306
June [no. 5-54] (folders 13-19)	
June [no. 55-264] (folders 1-20)	Box 307
June [no. 266-319] (folders 1-8)	Box 308
December [no. 1-150] (folders 9-20)	
December [no. 151-330] (folders 1-20)	Box 309
December [no. 331-363] (folders 1-2)	Box 310
<b>110. 1816</b>	
March [no. 2-160] (folders 3-20)	
March [no. 161-368] (folders 1-20)	Box 311
June [no. 3-203] (folders 1-20)	Box 312
June [no. 204-377] (folders 1-20)	Box 313
June [no. 378-434] (folders 1-7)	Box 314
June: no docket (folder 8)	
December [no. 1-113] (folders 9-20)	
December [no. 115-341] (folders 1-20)	Box 315
December [no. 342-530] (folders 1-19)	Box 316
<b>111. 1817</b>	
March [no. 3-205] (folders 1-19)	Box 317
March [no. 206-399] (folders 1-20)	Box 318
March [no. 400-501] (folders 1-9)	Box 319
June [Armstrong-Frink] (folders 10-20)	
June [Gardner-Schofield] (folders 1-20)	Box 320
June [Sheffield-Young] (folders 1-12)	Box 321
December [Abell-Cross] (folders 13-21)	

December [Darrow-Richards (folders 1-21)	Box 322
December [Ripley-Yerington] (folders 1-10)	Box 323
<b>112. 1818</b>	
March [Abell-Hull] (folders 11-21)	
March [Huntington-Wright] (folders 1-18)	Box 324
June [Abel-Billings] (folders 19-21)	
June [Brainard-Utley] (folders 1-20)	Box 325
June [Way-York] (folders 1-3)	Box 326
December [Anderson-Page] (folders 4-21)	
December [Palmer-Wright] (folders 1-10)	Box 327
<b>113. 1819</b>	
March [Abel-Hull] (folders 11-21)	
March [Huntington-Yeomans] (folders 1-13)	Box 328
June [Aldrich-Hart] (folders 14-20)	
June [Harvey-Woodward] (folders 1-13)	Box 329
December [Allen-Cole] (folders 14-20)	
December [Comstock-Slate] (folders 1-20)	Box 330
December [Smith-York] (folders 1-8)	Box 331
<b>114. 1820</b>	
March [Abell-Heath] (folders 9-20)	
March [Hempsted-York] (folders 1-18)	Box 332
June [Adams-Baldwin] (folders 19-20)	
June [Barnes-Smith] (folders 1-21)	Box 333
June [Spalding-Young] (folders 1-7)	Box 334
December [Allen-Holdridge] (folders 8-21)	
December [Holmes-Vibber] (folders 1-20)	Box 335
December [Wait-Young] (folders 1-2)	Box 336
<b>115. 1821</b>	
March [Ackley-Tate] (folders 3-21)	
March [Thomas-Young] (folders 1-3)	Box 337
June [Andrus-Palmer] (folders 4-20)	
June [Palmer-Year] (folders 1-9)	Box 338
November [Ames-Perkins] (folders 10-20)	

November [Perigo-Wright] (folders 1-9)

Box 339

**Illustration 19**



**Debt by note payable at the Middletown Branch of the Bank of the United States in 1823<sup>175</sup>**

**115. 1822**

March [Averill-Smith] (folders 10-21)

March [State-Woodbridge] (folders 1-3)  
June [Armstrong-Williams] (folders 4-20)

Box 340

November [1-284] (folders 1-16)

November: no docket [Appleman-Williams] (folders 17-18)

Box 341

**116. 1823**

March [Andrus-Cleland] (folders 19-21)

March [Clement-Ward] (folders 1-13)  
June [Abel-Dolbear] (folders 14-20)

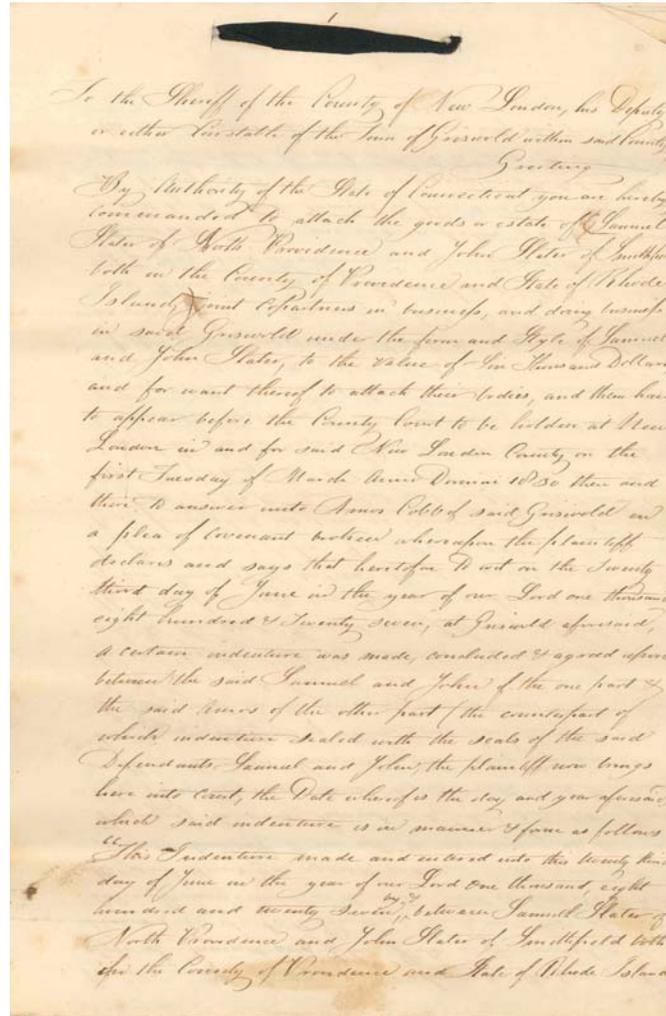
Box 342

<sup>175</sup> *Erastus Selden v. John C. Ely*, Ibid, Nov. 1823, Box 343, Folder 19, no. 78.

June [Douglass-Woodworth] (folders 1-13)	Box 343
November [Amy-Hart] (folders 14-20)	
November [Hartshorn-Yeomans] (folders 1-17)	Box 344
<b>117. 1824</b>	
March [Adams-Burling] (folders 18-21)	
March [Casey-Worden] (folders 1-20)	Box 345
June [Albee-Turner] (folders 1-20)	Box 346
June -Waite-Wyles] (folders 1-2)	Box 347
November [Amidown-Wyse] (folders 3-21)	
<b>118. 1825</b>	
March [Avery-Williams] (folders 1-12)	Box 348
June [Addison-Minard] (folders 13-21)	
June [Minor-Wheeler] (folders 1-10)	Box 349
November [Allyn-Stanton] (folders 11-22)	
November [Stanton-York] (folders 1-6)	Box 350
<b>119. 1826</b>	
March [Allyn-Warren] (folders 7-20)	
March [Way-Young] (folder 1)	Box 351
June [Anderson-Young] (folders 2-21)	
November [Anderson-Winthrop] (folders 1-24)	Box 352
<b>120. 1827</b>	
March [Avery-Young] (folders 1-21)	Box 353
June [Alexander-Avery] (folder 22)	
June [Babcock-Whittelsey] (folders 1-24)	Box 354
November [Allen-Woodworth] (folders 1-22)	Box 355
<b>121. 1828</b>	
March [Adams-Wright] (folders 1-18)	Box 356
June [Armstrong-Hall] (folders 19-22)	
June [Hanover-Williams] (folders 1-9)	Box 357
November [Armstrong-Olin] (folders 10-22)	
November [Palmer-Wolf] (folders 1-9)	Box 358
<b>122. 1829</b>	
March [Adams-Ripley] (folders 10-23)	
March [Ripley-Williams] (folders 1-8)	Box 359
June [Agnew-Prentice] (folders 9-23)	

June [Randall-Wilson] (folders 1-5) Box 360  
November [Armstrong-State] (folders 6-23)  
November [State-Wright] (folders 1-7) Box 361

**Illustration 20**



To the Sheriff of the County of New London, his Deputy  
or other his estate of the sum of Ten thousand Dollars  
By Authority of the State of Connecticut you are hereby  
commanded to attach the goods or estate of Samuel  
Slater of North Providence and John Slater of Smithfield  
both in the County of Providence and State of Rhode  
Island your debtors in business, and doing business  
in said Griswold under the firm and style of Samuel  
and John Slater, to the value of Ten thousand Dollars,  
and for want thereof to attach their bodies, and then have  
to appear before the County Court to be holden at New  
London in and for said New London County, on the  
first Tuesday of March next ensuing 1827 then and  
there to answer unto Prozess libell of said Griswold and  
a plea of covenant broken whereupon the plaintiff  
declares and says that heretofore to wit on the twenty  
third day of June in the year of our Lord one thousand  
eight hundred & twenty seven, at Griswold aforesaid,  
a certain indenture was made, concluded & agreed upon  
between the said Samuel and John of the one part &  
the said Henry of the other part of the contents part of  
which indenture sealed with the seals of the said  
defendants, Samuel and John, the plaintiff now brings  
here into Court, the Date whereof is the day and year aforesaid  
which said indenture is in substance & form as follows  
to wit  
The Indenture made and entered into this twenty third  
day of June in the year of our Lord one thousand, eight  
hundred and twenty seven, between Samuel Slater of  
North Providence and John Slater of Smithfield both  
of the County of Providence and State of Rhode Island

**Plea of covenant broken in machinery for a cotton manufactory, the  
defendants are Samuel Slater and John Slater of Rhode Island.<sup>176</sup>**

**123. 1830**

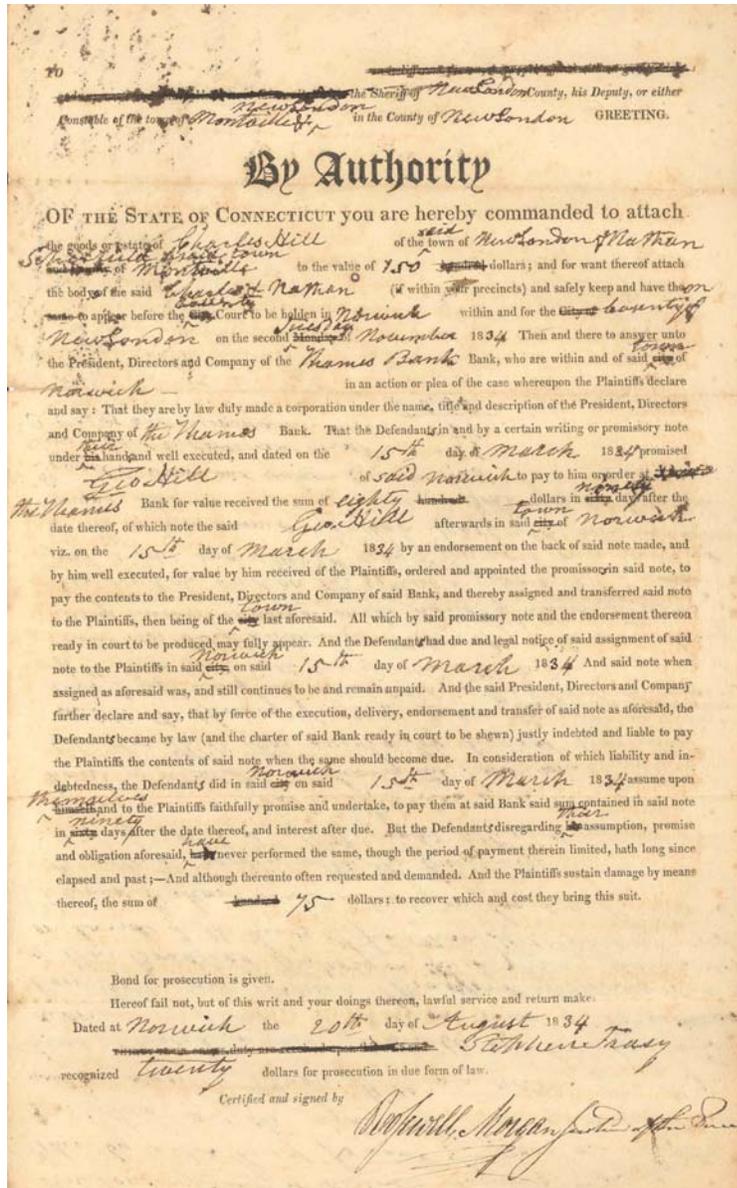
March [Alexander-Mason] (folders 8-23)  
March [Mason-York] (folders 1-12) Box 362  
June [Allyn-Hewit] (folders 13-23)  
June [Hill-Wright] (folders 1-16) Box 363

<sup>176</sup> *Amos Cobb v. Samuel Slater and John Slater*, Ibid, Nov. 1832, Box 370, folder 2.

November [Adams-Cox] (folders 17-22)	
November [Craft-Woodward] (folders 1-22)	Box 364
<b>124. 1831</b>	
February [Allen-Wyles] (folders 1-13)	Box 365
June [Allyn-Lord] (folders 14-23)	
June [Lord-Wright] (folders 1-14)	Box 366
November [Avery-Fitch] (folders 15-20)	
November [Fitch-Wood] (folders 1-18)	Box 367
<b>125. 1832</b>	
February [Avery-Darrow] (folders 19-22)	
February [Darrow-Wright] (folders 1-16)	Box 368
June [Allen-Darrow] (folders 17-22)	
June [Darrow-Williams] (folders 1-15)	Box 369
November [Abel-Chapman] (folders 16-22)	
November [Chapman-Thames Bank] (folders 1-22)	Box 370
November [Tiffany-Woodruff] (folders 1-5)	Box 371
<b>126. 1833</b>	
February [Adams-Mason] (folders 6-22)	
February [Mather-Yerington] (folders 1-12)	Box 372
June [Allen-Ladd] (folders 13-22)	
June [Ladd-Wright] (folders 1-13)	Box 373
November [Adams-Fanning] (folders 14-22)	
November [Fitch-Wyles] (folders 1-20)	Box 374
<b>127. 1834</b>	
February [Albertson-Armstrong] (folder 21)	
February [Avery-Stowel] (folders 1-22)	Box 375
February [Strong-Winship] (folders 1-9)	Box 376
June [Adams-L'Hommedieu] (folders 10-23)	
June [Lester-York] (folders 1-15)	Box 377
November [Abel-Eggleston] (folders 16-21)	
November [Eldredge-Wheeler] (folders 1-21)	Box 378
November [Wheeler-Wyles] (folders 1-3)	Box 379
<b>128. 1835</b>	
February [Adams-Morgan] (folders 4-21)	

- February [Morrell-Wilson] (folders 1-15) Box 380  
June [Ashby-Darrow] (folders 16-21)  
June [Dart-State] (folders 1-21) Box 381  
June [State-Young] (folders 1-5) Box 382  
November [no. 2-160] (folders 6-21)

Illustration 21



Writ of attachment in case of *Thames Bank v. Charles Hill and Nathan Schofield*<sup>177</sup>

<sup>177</sup> Ibid, Nov. 1834, Box 378, folder 19, no. 278.

November [no. 161-297] (folders 1-14)	Box 383
<b>129. 1836</b>	
February [no. 1-96] (folders 15-21)	
February [no. 97-275] (folders 1-17)	Box 384
June [no. 3-46] (folders 18-21)	
June [no. 51-282] (folders 1-19)	Box 385
November [no. 2-19] (folders 20-21)	
November [no. 23-266] (folders 1-21)	Box 386
November [no. 267-300] (folders 1-3)	Box 387
<b>130. 1837</b>	
February [no. 1-223] (folders 4-20)	
June [no. 5-46] (folders 21-24)	
June [no. 50-306] (folders 1-19)	Box 388
June [no. 307-350] (folders 1-2)	Box 389
November [no. 1-218] (folders 3-19)	
November [no. 220-334] (folders 1-8)	Box 390
<b>131. 1838</b>	
February [no. 3-198] (folders 9-19)	
February [no. 199-258] (folders 1-4)	Box 391
June [no. 3-279] (folders 5-20)	
June [no. 280-314] (folders 1-3)	Box 392
November [no. 2-285] (folders 4-18)	
<b>132. 1839</b>	
February [no. 4-40] (folders 19-20)	
February [no. 49-272] (folders 1-14)	Box 393
June [no. 1-72] (folders 15-20)	
June [no. 73-230] (folders 1-10)	Box 394
November [no. 1-149] (folders 11-20)	
November [no. 150-306] (folders 1-13)	Box 395
<b>133. 1840</b>	
February [no. 2-63] (folders 14-20)	
February [no. 64-233] (folders 1-14)	Box 396
June [no. 1-91] (folders 15-20)	
June [no. 92-264] (folders 1-16)	Box 397
November [no. 1-38] (folders 17-19)	
November [no. 39-254] (folders 1-17)	Box 398

**134. 1841**

February [no. 5-221] (folders 1-18)	Box 399
June [no. 1-211] (folders 1-20)	Box 400
June [no. 212-242] (folders 1-4)	Box 401
November [no. 1-168] (folders 5-20)	
November [no. 169-240] (folders 1-7)	Box 402

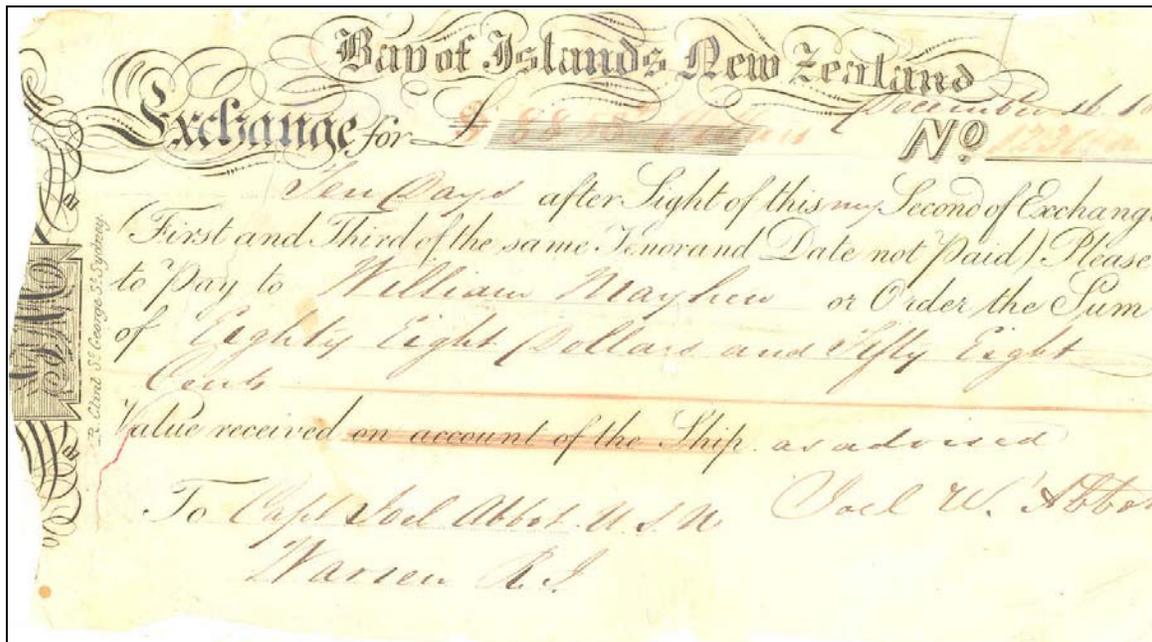
**135. 1842**

February [no. 1-188] (folders 8-20)	
June [no. 5-232] (folders 1-18)	Box 403
November [no. 5-15] (folders 19-20)	
November [no. 16-225] (folders 1-20)	Box 404

**136. 1843**

February [no. 3-195] (folders 1-12)	Box 405
June [no. 2-110] (folders 13-18)	
June [no. 112-196] (folders 1-7)	Box 406
November [no. 3-130] (folders 8-20)	
November [no. 131-238] (folders 1-8)	Box 407

**Illustration 22**



**Bill of exchange from New Zealand, 1842<sup>178</sup>**

**137. 1844**

February [no. 3-184] (folders 9-19)  
June [no. 3-204] (folders 1-15) Box 408  
November [no. 2-50] (folders 16-19)  
November [no. 51-263] (folders 1-8) Box 409

**138. 1845**

February [no. 1-335] (folders 9-20)  
February [miscellaneous] (folder 1) Box 410  
June [no. 22-459] (folders 2-12)  
November [no. 27-480] (folders 13-20)  
November [no. 481-585] (folders 1-6) Box 411

**139. 1846**

February [no. 5-704] (folders 7-14)  
June [no. 3-698] (folders 15-19)  
June [no. 670-780] (folders 1-6) Box 412  
November [no. 25-959] (folders 7-19)

**140. 1847**

February [no. 1-220] (folders 1-13) Box 413  
June [no. 13-278] (folders 14-20)  
June [no. 279-343] (folders 1-4) Box 414  
July [no. 106-349] (folder 5)  
November [no. 2-523] (folders 6-20)  
November [no. 524-579] (folders 1-3) Box 415

**141. 1848**

February [no. 21-679] (folders 4-13)  
June [no. 38-686] (folders 14-18)  
June [no. 687-860] (folders 1-10) Box 416  
July [no. 58-842] (folder 11)  
September [no. 75-865] (folders 12)  
November [no. 37-847] (folders 13-19)  
November [no. 858-1001] (folders 1-10) Box 417  
November [miscellaneous] (folder 11)  
December [no. 1003-1018] (folder 12)

**142. 1849**

February [no. 7-130] (folders 13-20)  
February [no. 131-194] (folders 1-5) Box 418  
June [no. 5-347] (folders 6-18)

<sup>178</sup> *Joseph Lawrence v. William Mayhew*, Ibid, Feb. 1844, Box 407, folder 11, no. 41.

June [no. 355-395] (folders 1-5)	Box 419
July-September (folder 6)	
November [no. 2-499] (folders 7-19)	
November [no. 500-662] (folders 1-14)	Box 420
<b>143. 1850</b>	
February [no. 53-620] (folders 15-19)	
February [no. 650-849] (folders 1-13)	Box 421
March [no. 121-761] (folder 14)	
June [no. 17-710] (folders 15-19)	
June [no. 714-998] (folders 1-12)	Box 422
November [no. 4-155] (folders 12-21)	
November [no. 156-337] (folders 1-15)	Box 423
<b>144. 1851</b>	
February [no. 6-289] (folders 16-20)	
February [no. 292-421] (folders 1-9)	Box 424
April [no. 51-442] (folders 10-11)	
June [no. 1-507] (folders 12-21)	
June [no. 508-550] (folders 1-4)	Box 425
November [no. 22-701] (folders 5-20)	
November [no. 702-753] (folders 1-7)	Box 426
<b>145. 1852</b>	
February [no. 2-213] (folders 8-19)	
February [no. 214-314] (folders 1-11)	Box 427
June [no. 1-331] (folders 12-20)	
June [no. 332-481] (folders 1-11)	Box 428
November [no. 10-504] (folders 12-21)	
November [no. 505-706] (folders 1-14)	Box 429
<b>146. 1853</b>	
February [no. 42-638] (folders 15-21)	
February [no. 639-815] (folders 1-11)	Box 430
June [no. 14-886] (folders 12-21)	
June [no. 887-982] (folders 1-5)	Box 431
November [no. 1-266] (folders 6-21)	
November [no. 267-288] (folder 1)	Box 432
<b>147. 1854</b>	
February [no. 13-437] (folders 2-16)	

June [no. 12-240] (folders 17-20)

June [no. 264-564] (folders 1-13)  
November [no. 19-571] (folders 14-20)

Box 433

November [no. 573-706] (folders 1-7)

Box 434

**Illustration 23**

To the Honorable County Court now  
in session at Norwich within and  
for the County of New London  
Hiram Wilby attorney  
for the State of Connecticut within and  
for the County of New London, who pres-  
-ents in this behalf for said State  
Informs and gives the Court here to  
understand that heretofore to wit  
on the ninth day of August in the year  
of our Lord one thousand eight hun-  
-dred and fifty four George H  
Griffith, a transient person with force  
and arms at the Town of Groton  
in said New London County did  
in a certain Hall called Floral Hall  
there situated unlawfully and without  
being authorized thereto by a majority  
of the select men of said Town of  
Groton exhibit a certain drama  
called "The Drunkard or the Fallen Sword"  
with a view of gain and for which  
the said George H Griffith, demanded  
and received from the Spectators of  
said exhibition a certain sum of  
money to wit the sum of twenty five  
Cents from each as a reward for the  
services of the said George H Griffith  
in making said Exhibition, of evil  
example, against the Statute in such  
Case made and provided, against  
the peace and dignity of this State  
Dated at Norwich the fifteenth  
day of November in the year

**Prosecution of actor George Griffiths for performing in  
“the Drunkard or the fallen saved” in Groton on August 9, 1854.<sup>179</sup>**

**148. 1855**

February [no. 8-768] (folders 8-21)

February [no. 769-797] (folders 1-2)

June [no. 142-935] (folders 3-10)

Box 435

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<sup>179</sup> *State v. George Griffiths*, Ibid, Nov. 1854, Box 434, folder 5, no. 660.