Judgments & Decrees

62

John Taylor
vs
Matthew Walton & Anthony Mundley

This cause came on to be heard on the Transcript of the record and was argued by Counsel, on consideration whereof. It is the opinion of this Court, that the Decree of the Circuit Court is erroneous and ought to be reversed and that the cause be remanded to the said Circuit Court with directions to order the lands claimed by the appellant to be surveyed conformably to his locations. In doing this a point will be taken one and one half miles due North of the Buffalow lick mentioned in Parnes entry from which a line is to be extended East and West to equal distances until it shall form the base of a square to contain two thousand acres of lands, which is to be north of the said line.

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Thomas T Barr & Robert R Barr
vs
John Lapsley, Francis West, Henry Strong & Saml. Mifflin

This cause came on to be heard on the Transcript of the Record and was argued by Counsel, on consideration whereof, It is adjudged, ordered and Decreed that the Decree of the Circuit Court for the District of Kentucky in this case be, and the same is hereby affirmed with costs.

70

The United States
vs
Joseph Jones, John M Peterson, Thomas Shaw Exr. of John Shaw decd. and Reubin McGillams admr. of Andrew Osborne decd.

Upon the question in this case referred to this Court from the Circuit Court for the District of Virginia, as to the payment of the moiety of the money now remaining in the custody of the said Circuit Court in the proceedings in this case mentioned. It is the opinion of this Court," that the moiety of the money remaining in the custody of the Circuit Court in the proceedings in the case of the United States Appellants against Joseph Jones and others mentioned, should be paid to the said Joseph Jones Collector of the District of Petersburgh, to be by him divided in equal proportions between the said Thomas Shaw as he is executor of the last will and testament of John Shaw decd., and Reubin McGillams as he is administrator of the goods and effects of Andrew Osborne deceased," all which is ordered to be certified to the said Circuit Court.

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Thomas Shaw Exr. of John Shaw decd. & Reubin McGillams admr. of Andrew Osborne decd.
vs
Joseph Jones, John M Peterson, William Marshall Clerk of the Circuit Court of the United States for the fifth Circuit & Virginia District

Upon the question in this cause referred to this Court, from the Circuit Court for the District of Virginia, and on which the opinions of the Judges of the said Circuit Court were opposed, towit: whether the Plaintiff Reubin McGillams, in right of his intestate was entitled to receive one moiety of that portion of the penalty in the proceedings mentioned, which is by law to be distributed among the several revenue officers of the District wherein the said penalty was incurred." It is the opinion of this Court, "that the representative of the late surveyor in right of his Intestate was entitled to receive one moiety of that portion of the penalty in the proceedings mentioned, which is by law to be distributed among the several revenue officers of the District wherein the penalty was incurred." all which is ordered to be certified to the said Circuit Court.

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John Den Lessee of Matthew Patton
vs
William Easton

This cause came on to be heard on the Transcript of the Record of the Circuit Court for the District of West Tennessee, containing the questions on which the Judges of that Court were divided in opinion, and was argued by Counsel, on consideration whereof. It is the opinion of this Court that the Defendant, not having derived either an equitable a legal title from a grant, did not hold his possession of the premises by virtue of a grant a deed of conveyance founded on a grant," and is not therefore protected in his possession by the laws of the land, nor is the Plaintiff barred by those laws from recovering the parcel of ground and premises for which his suit was instituted. All which is ordered to be certified to the said Circuit Court for the District of West Tennessee.