Writ of Adquadum
to
Samuel Wallace
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To the Honorable James Woodriff your petitioner represents that he hold by fee simple the following land viz 1/4 section 20 T 20 R 2 east throught which Yellowleaf creek runs will your Honor grant a writ of adquad demum to condem to your petitioner a sat for the execution of water works of said creek of yellow leaf with a dam of sufficient health + so in duty bound will ever pray 15 Sept 1839

Samuel Wallace

State of Alabama
Shelby County } To any Sheriff of the state of Ala greeting
whereas Samuel Wallace has appeared to the Judge of the orphans court of Shelby county for a writ of adquad demum + also in form the the hole by title in fee simple to the following land to wit the south east 1/4 of sect 20 T 20 R 2 east throught which Yellow leaf creek runs will + that he your Petitioner desires legally to establish + give a grant + can mill with a dam of sufficient length + hight by west of adquad dem: pur ant to the statute in such case made a. provided for to summon + empanel seven holders or lands holders to come at upon the land so proposed for the erection of said mills on the first monday of Nov next + the said free holders or lands holders summoned + empanelled upon mill change to the best of their skill + judgement to view the site so proposed for the erection of said mills + dam to examine the lands above + below of the property of others which may be properly over flowed + to say what damage it will be to the several proprietors + whether the manner house of any such preparation offends + to challenge or demands will be over flowed to enquire whether in their opinion the health of the inhabitants will be materially injured by the stagnation of the water + the inquest to make + signed by the said jurors or majority of them to gether with this writ which you will return to the next orphans court for said county at the place of holding the same on the first monday in Nov next witness Noel Mason clk of said county court at office this 12 of Oct A.D. 1841 Noel Mason clk

we the Jury being sworn to examine the land discribed in the foregoing writ & being duly sworn to appraise the damages if there should be any having examined it to our satisfaction & believe this work will be injured neither their lands or premises or the health of the sellers will be injured by the erection of said mill be done & we authorize the said Sam Wallace to raise the dam eight feet Nov 2 1839

Mr D Sherrett — Henry Shackleford
Thos H Brasher — J Wallace
Edmund Blanton — Geo Baker
Cont shff office Oct 26 1839 — James A Sipson

Summons acquired charges & sworn the following named Jurors Nov 2 1839 Thomas H Brasher 2 Mr D Sherrett 3 Geo Baker 4 James Wallace 5 Henry Shackelford 6 James A Sampson 7 Edmund Blanton A Slane Shff
By R S Griffin Deft

Writ of Adqd Damn

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Samuel Wright vs State of Alabama Shelby County To the Honable Samuel Brasher Judge of the county court of said county the petition of Samuel Wright of said county shews to your Honor he owns a certain peace of land in fee simple in said county to wit the S E fraction sect No 12 T 19 R 2 east & that he was here to build a dam for his mill & on the spring creek running through said lot of land. Your petitioner prays that your honor will grant your honor warrant of adqnad dam that justice may be done in the premises April 8 1841

Samuel Wright

Order to issue the clk of county court will grant the writ in petition according to law April 8 1841

Samuel Brasher Judge

Writ granted

State of Alabama
Shelby County To the sheriff of Shelby county greeting whereas Samuel Wright of said county has filed his petition shewing that he hold title in fee simple to the S E fraction sect 12 T 19 R 2 east & that he wishes to build a dam for his mill & on spring creek running through said lot of land this therefore is to command you to summons & impanel seven free holders non land holders of your county to meet upon said land on the 19 day of April & them sworn impartically & to the best of their skill & judgment to examine the land above & below the property of others which may peronily be overflowed & to say what damage it will be to the

several proprietors & whether the mansion house of any such proprietors office & or garden there into immediately belonging or orchards will be over flowed to engine whether in their opinions the health of the neighbors will be materially injured by the stagnation of the water & make due return of your proceedings herein to our next orphans court to be holden at the court house in Wol on the first Monday in May next witness Joel Mason clk of our said court at office this the 8 day of April in the year of our Lord 1841. & of the American independance the 65 year 8 April 1841

Test Joel Mason Clk

Shff Ret

enter in shff office. April 8 1841 executed this B G Randall shff by Russell Wellman summons Edmond McGennis

State of Alabama
Shelby County } To any sheriff of the state of Ala greeting You are hereby commanded to summons Edmond McGinnis to appear at Samuel Wright mill on the 19 day of April next before the seven jurors that are summoned therefor the purpose of grauding writs of adquad damn He witness my hand at office this the 8 day of April the year of our Lord one thousand 8 hundred & 41 & of American independance the 65 year

Test Joel Mason clk

Jps crery 7 April 1841. I acknowledged the within jurors this 13 of April 1841.

Edmond McGinnis
By Roper Nunn Jpt

entered in shff office 8 April 1841 executed By Randall Shff

State of Alabama
Shelby County } To the Judge of the county court of Shelby county at Wol on the first Monday of May next in presence of a writ of adquad damn in per ~~[illegible]~~ upon the petition of Samuel Wright we the under signed jurors having been duly summons monday ~~[illegible]~~ this day compelled at the said Wright mill charges as the law directs & after due examined had both above & below the mill on each side of the creek we are prepared to state that their is no mansion house garden or orchard office farm or any part therein of any dwelling purpose which will be overflowed or damages by raising the dam to the highest described therein housemence a small portion of wood land of a gladey nature the property of Edward McGinnis which will be overflowing by which condition we consider the

premises damages not exceeding the sum of one dollar & with regards to sickness it is sufficiently evidenced before us that to some extent on the ~~Beaver Brook~~ it has been sickly ever since settled but from the advantages consequent of the mill in keeping the water along at about the same stage & from the fact of the lime or running water being kept continually on the surface & from the small quantity of vegetable matter subscribed to putrive faction by continual wetting & drying we are of opinion that it will not increase to the great annoyance of the neighbor but if any change it will be for the better wherefore of the above consideration & the great convenience & utility of the mill contemplation to the community adjacent or vicinet is in the spirit of carder that said Bright by payment or tender of payment of the damages assigned to permitted & authorized to agree to raise a dam across spring creek at the place by him design rated to the hight of 3 & a half feet the hight required to suit his plan of consti tution

Witness our hands & seal this 19 day of April 1841

Return of the Jury
Coll. fee $1.25
Judge fees $1.00

Joel Bailey Seal William Elliott Seal
Jeptha Lewis Seal John Martin Seal
Bennet Davis Seal James Williamson Seal
William Mitchell Seal