

State of North Carolina } Superior Court
Grawville County } Spring Term.

1st Count-

The jurors for the State upon their oath present that Charles B. Cole, Richard E. Jones, John C. S. Sumner and Gabriel J. Jones, late of the county of Grawville, being evil disposed and wicked persons, on the sixth day of March, in the year of our Lord one thousand eight hundred and seventy six, with force ^{and} arms, at and in the county of aforesaid, did wickedly, falsely, fraudulently and unlawfully conspire, combine, confederate and agree together, by fraudulent ^{means} (reasons) and unlawful and dishonest devices and practices (pretences), to defraud the county of Grawville of a large sum of money, to wit, - the sum of three hundred and forty seven dollars and fifty cents, to the evil example of all others and against the peace and dignity of the State.

2nd Count

And the jurors aforesaid upon their oaths aforesaid do further present that on the sixth day of March, in the year of our Lord, one thousand eight hundred and seventy six, the said John C. S. Sumner, had a claim against the county of Grawville, for the sum of two hundred and forty two dollars and fifty cents, under and by virtue of a certain contract or agreement theretofore made with him by the Board of Commissioners of said county of Grawville, and that afterwards

to wit, on the day and year last aforesaid, with force and arms at and in the county of aforesaid, the said Charles B. Cole, Richard D. Jones, John C. S. Lumsden and Gabriel J. Jones, with intent to injure and defraud the said county of Granville did wickedly, falsely, fraudulently and unlawfully conspire, confederate, combine and agree together, by fraudulent means and unlawful and dishonest devices and practices, to induce and procure the Board of Commissioners of the county of Granville, to allow the said John C. S. Lumsden, a much larger sum on account of the subject matter of said claim, than the said sum of two hundred and forty two dollars and fifty cents, to wit the sum of five hundred and ninety dollars, and to issue to the said John C. S. Lumsden, an order on the Treasurer of said County of Granville therefor, they the said Charles B. Cole, Richard D. Jones, John C. S. Lumsden and Gabriel J. Jones, then and there well knowing that said county did not owe to the said John C. S. Lumsden, and that said John C. S. Lumsden, was not entitled to the said sum of five hundred and ninety dollars, and that said John C. S. Lumsden was not entitled to have an order issued to him by said Board of Commissioners of the county of Granville, on the Treasurer of said County therefor, to the evil of all others and against the peace and dignity of the State.

23 Count

And the jurors aforesaid upon their oaths aforesaid do further present that before and at the times hereinafter mentioned, the said Charles B. Cole and Richard D. Jones were members of the Board of Commissioners of the County of Granville, and the said Richard D. Jones, was also Chairman of said Board of Commissioners, and that said Board of Commissioners had employed said John C. S. Lumsden, to do certain work on the Court House of said County and to furnish certain material therefor and had agreed with said John C. S. Lumsden, that he should be paid therefor the sum of two hundred and thirty five dollars each upon the completion of the said work, and had also agreed with said John C. S. Lumsden that he should be allowed and paid the further sum of seven dollars and fifty cents, on account of certain loss of time by reason of bad weather while employed about said work, and that said John C. S. Lumsden, having furnished said materials and performed said work, had a claim against the said County of Granville by virtue of said agreement and in accordance therewith, for the sum of two hundred and forty two dollars and fifty cents, and that afterwards, to wit on the sixth day of March in the year of our Lord one thousand, eight hundred and seventy six, with force and arms at and in the County aforesaid, the said Charles B. Cole, Richard D. Jones, John C. S. Lumsden

and Gabriel J. Jones, with intent to injure and defraud the said County of Granville, did wickedly, falsely, fraudulently and unlawfully conspire, confederate, combine and agree together by fraudulent means and dishonest devices and practices, to induce and procure the said Board of Commissioners of the County of Granville, to allow to the said John C. S. Lumsden, a much larger amount than the sum of \$242 ⁵⁰/₁₀₀, in respect of the subject matter of said claim last mentioned, to wit, - the sum of \$590, - and to issue to him: the said John C. S. Lumsden, an order on the Treasurer of said County of Granville therefor, and that when said order should be so issued by said Board of Commissioners the said John C. S. Lumsden, should transfer the same to the said Gabriel J. Jones, and that said Gabriel J. Jones should pay to the said John C. S. Lumsden \$242.50 therefor. And the jurors aforesaid do further say, that then and there in pursuance of and according to the unlawful false and wicked conspiracy and confederacy, combination ^{and} agreement last aforesaid, the said John C. S. Lumsden, presented to the said Board of Commissioners of the County of Granville (said Board of Commissioners being then and there in session for the transaction of business) an account against the said County of Granville, sworn to by him, the said X J. C. S. Lumsden, for the sum of five hundred

and ninety dollars, in respect of the subject matter
of said claim, they the said Chas. B. Cole, Richard D.
Jones, John C. S. Sumner and Gabriel J. Jones
then and there well knowing that said account for
the said sum of five hundred and ninety dollars, was
false and fraudulent, and the ^{jurors} jurors afore-
said, upon their oaths, do further say that in further
pursuance of the unlawful false and wicked
conspiracy, combination and agreement last
aforesaid, the said Charles B. Cole & Richard D. Jones
being members of said Board of Commissioners
and said Richard D. Jones, being also chairman of
said Board of Commissioners as aforesaid, did then
and there, make false and fraudulent representa-
tions to the members of said Board of Commission-
ers then and there sitting, in favor of said account ^{and}
that by means of said false account so sworn to and
presented by said John C. S. Sumner, to the said
Board of Commissioners and the said false and
fraudulent representations of the said Charles
B. Cole, and Richard D. Jones, in favor of the same
as aforesaid, they, the said Charles B. Cole, Richard
D. Jones, J. C. S. Sumner and Gabriel J. Jones
did then and there in pursuance of and according
to, the unlawful, false and wicked conspiracy,
combination and agreement, last aforesaid
unlawfully and fraudulently induce and
procure the said Board of Commissioners to allow
the said false and fraudulent account last aforesaid.

said, but the said sum of five hundred and ninety dollars and to issue to the said John C. S. Lumsden an order on the Treasurer of said County of Granville for the amount of the sum to wit, for the said sum of five hundred and ninety dollars aforesaid, they the said Chas. B. Cole, R. D. Jones, J. C. S. Lumsden and G. J. Jones, then and there, well knowing, that said account for the said sum of five hundred and ninety dollars, was false and fraudulent, and that the said J. C. S. Lumsden, was not entitled to have the same allowed by the said Board of Commissioners, nor to have an order issued to him by the said Board of Commissioners on the Treasurer of the said County of Granville for the amount of the same, and the jurors aforesaid, on their oaths aforesaid do further say that in further pursuance of and according to the unlawful and wicked conspiracy, confederacy and combination and agreement last aforesaid, the said J. C. S. Lumsden, then and there wrongfully ^{and} unlawfully accepted and received from the said Board of Commissioners, the said order for the sum of five hundred and ninety dollars, on the Treasurer of said County of Granville, so procured to be issued to him by the said Board of Commissioners as last aforesaid, and then and there transferred the same to the said G. J. Jones, and that the said G. J. Jones, then and there paid to the said J. C. S. Lumsden \$242.50, cheerfully, to the evil

4th Court

example of all others and against the peace and dignity of the State and the jurors as aforesaid upon their oaths aforesaid do further present, that before and at the time hereinafter mentioned, the said C. B. Cole & R. D. Jones were members of the Board of Commissioners of the County of Granville and the said R. D. Jones, was Chairman of said Board of Commissioners and that the said Board of Commissioners had employed the said J. C. S. Lumsden to do certain work on the Court House of said County of Granville and to furnish certain materials therefor and had agreed with the said J. C. S. Lumsden, that he should be paid the sum of \$235.00, cash upon the completion of said work, and had also agreed with the said J. C. S. Lumsden, that he should be allowed and paid the sum of \$7.50 on account of certain loss of time by the said J. C. S. Lumsden, by reason of bad weather, while employed about said work and that said J. C. S. Lumsden had furnished said material and performed said work and had a claim against said County of Granville by virtue of said agreement and in accordance therewith, for the sum of \$242.50 and that said Board of Commissioners, had also agreed with said J. C. S. Lumsden to issue to him an order on the Treasurer of said County of Granville for such an amount as that said order would be worth and would sell for, the sum of \$242.50, and the jurors aforesaid, upon their oaths

x aforesaid do further say, that afterwards, to wit,
on the Xth day of March, in the year of our Lord 1876
with force and arms at and in the county of Granville
aforesaid, the said C. B. Cole, R. D. Jones ^{and}
G. J. Jones, with intent to injure and defraud the
said County of Granville, did wickedly, falsely,
fraudulently and unlawfully combine, confeder-
ate and agree together by fraudulent means
and dishonest devices and practices to in-
duce and procure the said Board of Commissioners
of the County of Granville, to allow to the said
J. C. S. Lumsden, a much larger amount in re-
spect of the subject matter aforesaid last men-
tioned claim, than the said sum of \$242.50, to
wit, the said sum of \$590.00, to the said J. C. S. Lum-
sden, an order on the Treasurer of said County
of Granville, for an amount much larger
than was necessary to make said order to be worth
and sell for the sum of \$242.50, to wit an order
for the amount of the sum of \$590.00 and, ^{that} when
said last mentioned order should be so issued
to the said John C. S. Lumsden, by the said
Board of Commissioners, he, the said John C. S. Lum-
sden, should transfer the same to the said Gabriel
J. Jones, and that said Gabriel J. Jones should
pay to the said John C. S. Lumsden \$242.50
therefor. And the jurors upon their oaths aforesaid,
do further say, that then and there in pur-
suance of and according to, the unlawful

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false and wicked conspiracy and confederacy and combination and agreement last aforesaid the said John C. S. Lumsden, presented to the ^{said} Board of Commissioners of the county of Granville (the said Board being then and there in session for the transaction of business) an account against the said County of Granville, sworn to by him the said John C. S. Lumsden, for the sum of \$90. in respect of the subject matter of said claim last above mentioned as aforesaid. They the said Charles B. Cole, Richard D. Jones, John C. S. Lumsden Gabriel J. Jones, then and there well knowing that said account for the sum of \$90.00, was false and fraudulent.

5th Grand
And the jurors aforesaid upon their oaths aforesaid, do further say, that in further pursuance of the unlawful false and wicked conspiracy, confederation, combination and agreement last aforesaid, the said C. B. Cole & R. D. Jones being members of said Board of Commissioners as aforesaid, did then and there, make false and fraudulent representations to the other members of the said Board of Commissioners, then and there sitting in favor of said account, for the sum of \$90. - as sworn to and presented to said Board of Commissioners, by the said J. C. S. Lumsden as last mentioned as aforesaid and that by means of said last mentioned false account as sworn to and presented by the said

J. C. S. Sumsden to the said Board of Commis-
sioners, as aforesaid and of the said false and
fraudulent representations of said C. B. Cole
and R. D. Jones, in favor of said account as
aforesaid, they the said C. B. Cole, R. D. Jones
J. C. S. Sumsden & G. J. Jones, did then and
there in pursuance of and according to the
unlawful false and wicked conspiracy, con-
federacy, combination and agreement, last
aforesaid, unlawfully and fraudulently induce
& procure the said Board of Commissioners, to al-
low the false and fraudulent account aforesaid
for the sum of \$590. - and to issue to the said
J. C. S. Sumsden an order on the Treasurer of
the said County of Granville for an amount much
greater than was necessary to make said order to be
worth and to sell for the said sum of \$242.50. to
wit, for the amount or sum of \$590, they, the said C.
B. Cole, R. D. Jones, J. C. S. Sumsden and G. J. Jones
then and there well knowing the said acct of \$590.00
as sworn to by said J. C. S. Sumsden, and presented
to said Board of Commissioners, as last aforesaid
was false and fraudulent, and that said J. C.
S. Sumsden was not entitled to the amount of
the same, or to have the same allowed by the said
Board of Commissioners, and they the said C. B. Cole
R. D. Jones, & C. S. Sumsden and G. J. Jones, also
then and there well knowing that said order was for
a much larger amount than was necessary to make

the same to be worth and sell for the sum of \$242.50 and that the said J. C. S. Lumsden, was then and there not entitled to the amount of the sum of \$50.00 for which said order was issued as aforesaid and was not entitled then and there to have an order issued to him by the said Board of Commissioners on the Treasurer of Granville County for the said amount or sum of \$50. and the jurors aforesaid now upon their oaths aforesaid, do further say that in the further pursuance of the unlawful and wicked, confederacy, combination and agreement as aforesaid, the said J. C. S. Lumsden, then and there wrongfully and unlawfully accepted and received from the said Board of Commissioners, the said order for the sum of \$50. so procured to be issued to him by the said Board of Commissioners, as lost aforesaid, and then and there transferred the same to the said G. F. Jones, and that said G. F. Jones, then and there paid to the said J. C. S. Lumsden, \$242.50, for the same, to the evil example of all others and against the the peace and dignity of the state.

State
v
Charles B. Cole
et al
copy of
Indictment

Oranville County
Indictment

State
v
Charles B. Cole
et al

CHAUTAQUA COUNTY HISTORICAL SOCIETY 2018