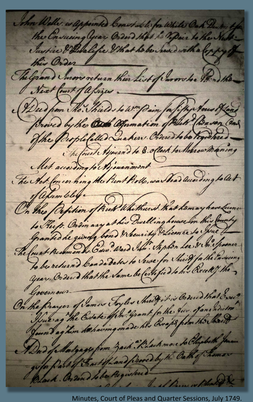
Order in the Court

Onslow County's earliest court, known as the Court of Pleas and Quarter Sessions, began meeting in 1732 before the Precinct of Onslow had been officially recognized. Its business, retroactively approved by the colonial Assembly in 1734, carried through as Onslow became a county in 1739. This court operated, with Justices of the Peace at its head appointed by the Royal Governor, until 1776. This court system provided the primary form of government for the County during the colonial period and its functions touched the lives of Onslow residents in many different ways.

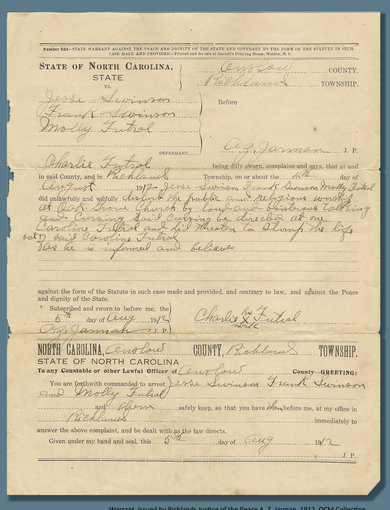


Minutes, Court of Pleas and Quarter Sessions, July 1749.

These minutes from Onslow's earliest court demonstrate the importance and wide ranging authority it held. The above minutes include the appointment of a constable, the selection of grand jurors for the court of assizes, the proving of a land deed, an act concerning the collection of quit rents, a petition to license a tavern, nominations for Sheriff, and the issuing of a fine against a man who escaped from the Sheriff.

Three main offices of the early court, The Justices of the Peace, The Clerk of Court, and the Sheriff, oversaw day to day business as well as the four court sessions each year. The court was responsible for setting tax rates, hearing petitions for tax relief, proving land deeds, probating wills, assigning guardians for orphans, appointing road overseers and slave patrollers, issuing licenses for ordinaries and setting their rates, establishing ferries, as well as hearing suits for minor debts and criminal cases.

After the United States of America declared its independence from England, the county court continued much as it had before. Not until 1798 did the General Assembly create the Superior Court and required it, in 1806, to meet twice a year. The county court of Justices of the Peace continued to operate until 1868. During reconstruction the legislature eliminated the Court of Pleas and Quarter Sessions; the County Justices of the Peace remained but with limited jurisdiction in civil and criminal matters. In the place of the Court of Pleas and Quarter Sessions, a board of elected commissioners began administrating county government.



STATE OF NORTH CAROLINA, STATE vs. Jesse Swinson, Frank Swinson, Molly Futral — DEFENDANT. COUNTY. Richlands TOWNSHIP. Before A. Z. Jarman J. P.

Charlie Futral being duly sworn, complains and says, that at and in said County, and in Richlands Township, on or about the 6th day of August 1912 Jesse Swinson, Frank Swinson, Molly Futral did unlawfully and wrongfully disturb the public and religious worship at Oak Grove Church by cursing and using profane language and cursing Lewis Futral and trying to drive him off the premises and cursing Caroline Futral and threatening to blemish the life of said Caroline Futral. This he is informed and believes.

against the form of the Statute in such case made and provided, and contrary to law, and against the Peace and dignity of the State.

Subscribed and sworn to before me, this 6th day of Aug. 1912. A. Z. Jarman J. P. Charlie X Futral

NORTH CAROLINA, Caroline COUNTY, Richlands TOWNSHIP.
STATE OF NORTH CAROLINA
To any Constable or other Lawful Officer of Onslow County—GREETING:
You are forthwith commanded to arrest Jesse Swinson, Frank Swinson and Molly Futral and them safely keep, so that you have them before me, at my office in Richlands immediately to answer the above complaint, and be dealt with as the law directs.
Given under my hand and seal, this 6th day of Aug. 1912. J. P.

Warrant, Issued by Richlands Justice of the Peace A. Z. Jarman, 1912. OCM Collection

Justices of the Peace could hold their own courts in Townships like Richlands. Justice A. Z. Jarman routinely issued warrants for minor crimes like that committed by Jesse Swinson, Frank Swinson, and Molly Futral in 1912. Charlie Futral accused the three of disrupting church services at Oak Grove Church when they cursed and threatened Caroline Futral in August, 1912. The case was given to Justice W. E. Cox for trial where the defendants were found guilty and fined.

The basic structure of the court system established by the Constitution in 1868 remained until the 1960s. Prior to the mid twentieth century holding court was a complex and convoluted process. By 1950 there were an estimated 1,400 local courts including general county courts, city courts, township courts, mayor's courts, and Justices of the Peace, who all heard cases at varying levels with no uniform jurisdiction or rules. The Bell Committee, formed by the NC Bar Association in 1955, studied the system and issued a report focused on reforming the judicial system. The state created a committee to implement the findings of the report and by the mid-1960s the newly created Administrative Office of the Courts oversaw a new statewide district court system, the General Court of Justice, that replaced all local courts and Justices of the Peace. This court system remains in place today.