

August Court 1766

in the same and award for the p^t and the Deft by his atty moved in arrest judgment which was granted and the award being filed as by of same in that Courts proceedings may appear. the Deft being argued the award was set aside on which the same award was continued until the then next Court

At which said next Court viz the nineteenth day of June Anno Dom 1766 came the a^p Deft by his atty a^p and the p^t by his atty a^p and the same award was continued until next Court

At which said next Court viz this twenty first day of August the same year came the said award and the said p^t by his atty a^p and the Deft by his atty a^p and pleads viz And the a^p John Hager by John Johnson his atty comes and defends the plea and injury where he And saith that he did not assume upon himself in such manner or form as the a^p George in his Deed a^p ag him about hath supposed and for this he puts himself upon the Country Johnson of Deft

And the p^t in like manner sheweth & p^t There upon command was given to the Sheriff of N^o Coly that he immediately cause to come here two or three by whom he to procure because as well he who neither he. And the Sheriff comes and bring he hath here ready to do as by his precept it was commanded and being called came viz William Power Arthur Foreman Thomas Power Thomas Fryer James Wyloy George Hanson John Blackiston Peter Green Thomas Hynson Joel Hodger Daniel Farrilo & John Brown who being duly called tried and sworn and having heard the pleadings and proclamation being made that the Deft should appear and defend the award a^p otherwise if request to go by default and the a^p p^t proves his case as aforesaid. and the jury a^p with draws and after some time do again return to the bar and being called over as also the p^t & Deft but the Deft makes default and the jury all appear and being asked whether they are agreed on a verdict or not do say they are agreed on a verdict and being asked whether they find for the p^t or Deft do say they find for the p^t and that they find as to the first assumption the Deft did assume in manner and form as above declared & find damages six pounds twelve Shillings Current money as above declared & as to the second assumption they find he did not assume in manner