

August Term 1778

prosecutor as aforesaid hath above ag. him Declared & of this she puts herself upon the Country &c.

M. Howard Deft

And the jpts in like manner Boeing of jpts. Command was therefore given to the Sheriff of Kent County that he immediately cause to come here twelve W. by whom W. to W. who neither W. because as well W. And the Sheriff of said County comes and makes return that he hath ready twelve as by his precept it was Commanded viz. John Hurst Henry Knock Richard Seaggs Vivian Beck Robert Green George W. Nicholas Lynch Thomas Jone Nicholas Jone Vincent Hatcher John Davis William Simcocks which Jury being duly elected tryd and sworn and having heard the pleading. Evidence and allegations on both Sides and having had their charge do with draw and after some time do againe return and being called over as aforesaid the jpts and Deft who do all appear and the Jury 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 jpts or Deft do say they find for the Deft and that the Deft is in no wayes guilty of what is Charged against her as above declared and by John Hurst their foreman all so say The Deft by her atty aforesaid moves for Judgment on the Verdict aforesaid which is granted Except cause shown

Reasons in arrest of Judgment. And the aforesaid in the behalf of y^e Lord prop. & himselfe saith that the Verdict given by the Jury in this Cause is not sufficient to support or maintain the same for the Reasons following. That the said Verdict found by y^e aforesaid is not according to y^e Law joyned with many others in the said Verdict and by John Johnson his atty prays that there may be a new Verdict

And the aforesaid prays being read and by the atty on both Sides argued and mature deliberation by the Court thereupon taken do judge the same Good and sufficient in Law to bar the aforesaid Deft from having Judgment according to the Verdict aforesaid And that the Verdict is not according to the Law joyned And that a new Verdict shoud be returnable to next Court and thereupon the same Cause is Continued.

John Suckin's Evidence for the jpts. in the above Cause the same jpts. by their atty aforesaid prayd that his deposition might be entered which was granted And the same being sworn as Evidence for the aforesaid jpts. to the Jury aforesaid declares as follows. That he knows nothing of the Deft dealing any wayes with the aforesaid James Harris's negro and that he never received any Indian Corn or wheat from the said Negro but what was left with the negro by other persons for her use or that he had carryd there himselfe and that the Negro aforesaid had eat at the Deft's house but that she gave it him

His Lordship's James Harris &c. Doed Continued the Cause
John Suckin's
Jam^l Cornelius