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he was Committed - Whereupon the said John Newbold being set to the Bar (Indictment Read) is thereupon Instantly demanded how he would acquitt himself of the premises aforesaid upon him Impored, says that of the premises aforesaid as by the above Indictment it is supposed in manner & form he is noways guilty - thereof, and for by all these of puts himself upon the Country, and Lewis Gale who for his said Lordship in this Behalf proffers likewise -

Thereupon Command is given to the Sher. of Somerset County that Immediately he cause to come here twelve g^{ts} by whom g^{ts} who neither g^{ts} to recognize g^{ts} because as well g^{ts} of which said County the said Sher. to wit Joseph MacCarten Gent. Nowhereat this day to wit make return that he has here ready twelve g^{ts} as by his precept he was Committed and the Jurors there in Impanelled being Called came to wit Thomas Coal, John Dennis Senr. John White Mariner, William Holland, Isaac Williams John Beavis, William Bratton David Hazard, John Colrick Senr. Adam Spence Senr. Edmund Hough William Mills who being duly Oathed tryed & sworn to say the truth in the premises upon their Oath doe say that the said John Newbold is guilty of Battery - Whereupon the said John Newbold prays that Court that no Judgment may be given on the Verdict, so as aforesaid given against him, and that time may be given him to see his Reasons, which is granted, and time given him until the ^{the} tomorrow being Saturday, and the fifth day of this term he giving recognizance in ten pounds Court money to stand & abide the Judgment of the Court thereupon g^{ts}.

Thereupon the said John Newbold acknowledged himself to owe and stand Justly Indebted unto his said Lordship the Lord proprietary his heirs and Successors in the Sum of ten pounds Court money to be Levied on his Body goods or Chattels Lands or tenements for the use of his said Lordship.

He saith he doth not make his personal appearance before the Justices of his said Lordship's County Court of Somerset ~~the~~ sitting at dividing Creek on tomorrow being Saturday & the fifth day of this term & and answer g^{ts} and not to depart the same Court but stand & abide the Judgment thereon -

on which day to wit the fifth day of this term comes againe as well the said Lord proprietary by Lewis Gale his attorney who for his said Lordship in this Behalf enters, as the said John Newbold in his own proper person, and certain Reasons filed by the said John Newbold in Stay of Judgment on the Verdict were read in these words following viz: Lopp & Newbold. Reasons to arrest Judgment in this Cause that the Indictment being for a battery and not guilty pleaded to it the Issue was general which Requires a positive Verdict either in the affirmative or Negative as guilty or Not guilty which the Jury have not found - - -

Whereupon all and singular the premises by the Court here been heard and fully understood & mature deliberation thereupon had it seems to the Court here that the Reasons aforesaid are not sufficient in the Law to quash or set aside the Verdict so as aforesaid given.

Therefore it is considered by the Justices here that the said John Newbold be fined to his said Lordship the Lord proprietary the Sum of fifty pounds of tobacco for the fact aforesaid. Thereupon the said John Newbold is discharged from the Indictment aforesaid paying the fine aforesaid & the Court Officer g^{ts} fees due by action of process aforesaid.