

• August Court ----- 1724 ----- 226

Eight Shillings and Eight pence to the said John in his Lifetime or the said Rose whilst she was sole after & decease of the said John or the said Joseph and Rose since the Disposal between them celebrated hath not Rendered but the same to them or any of them hitherto to Render hath denyed and the same to the said Joseph and Rose to Render she doth deny and unjustly detain to the detaining them in the Execution of the Last will and testament & whereupon they say they are the worse and have Damage to the Value of ten pounds first money & thereof they bring Suite and they bring into Court here the Last testamentary & of the said John by which it plainly appears to the Court here the said Rose to be Executor of the Last will and testament & and thereupon to have administration & —

Wm Allen Esq Clerk of the Court

At the which said Court to wit the Eighteenth day of August and A.D. One thousand Seven hundred & twenty four came again the said Joseph Shippin & Rose his wife &c &c as & by their attorney & and whereas a copy of the above declaration was in the plea & was made to be served on the said doct in custody &c. Whereupon the said Joseph Shippin and Rose his wife &c &c as & by their attorney &c pray that the said Arthur Hayman in custody as & to the said declaration &c may answer. Whereupon the said Arthur Hayman in custody as & hath time given him by the Court until the second day of this term to answer &c And the same Arthur Hayman in custody as & at the same day at his solemnly called Counsel not nor nothing thereof in Barr or conclusion of the action &c say, whereby the same &c remains against the same doct thereof undiffracted &c —

Therefore it is considered by the Justices here the ^{Eighteenth} day of August and A.D. One thousand Seven hundred & twenty four that the said Joseph Shippin and Rose &c of the said J^r M^r Williams Recover against the said Arthur Hayman in custody as & as well the Sum of twelve pounds Eight Shillings and Eight Pence first money then doct &c as also the Sum of three hundred and fifteen pounds of costs by the Court here ad judged unto him for his costs and Damages sustained by Occasion of detaining the same Debt & doct in Money &c whereupon the said Arthur Hayman at the prayer of &c by their attorney &c is committed into the custody of the the Sher of Somerset County there to remain until such time as the &c of their Debt and Costs &c shall be fully satisfied &c