

Novemb. Court . . . 1726 . . . . 198  
Dond. One thousand Seven hundred and twenty six came again as well the <sup>af</sup> Isaac  
as the <sup>af</sup> John by their attorneys <sup>af</sup> and thereupon the said John by his said attorney  
as before defends the force and Injury when <sup>af</sup> and saith that he is not guilty of  
the premises above imposed upon him in manner and form as the <sup>af</sup> against  
him hath complained and of this he puts himselfe upon the Country - and the  
<sup>af</sup> Esch. Luke wife -

Thereupon Command is given to the Sherd. of  
Somerset County that immediately he send to come here twelve <sup>af</sup> by whom <sup>af</sup> who  
neither <sup>af</sup> to recognize <sup>af</sup> because as well <sup>af</sup> of which said <sup>af</sup> precedent  
the said Sherd. to witt Francis Allen Gent. Now hereat this day to witt the same  
day and year last mentioned makes Return that he hath here ready twelve <sup>af</sup>  
as by his said precept he was commanded and now hereafterwards to witt the same  
day and year came as well the <sup>af</sup> Esch as the <sup>af</sup> Esch. by their attorneys <sup>af</sup> and  
the Jurors of that Jury therein Impannelled being called Luke wife came to witt John  
Dondolson Lewis Beard, Peter Frazer, Wilem Smith, Wm. Sawe, John Fleming, J<sup>r</sup>  
Larimore, John Read Tiggini, Teague Tiggini, John Davis, Wm. Bratton and George  
Tayler who being duly Elected tryed and sworn to say the truth in the premises,  
upon their Oath do say that the <sup>af</sup> John Barker is not guilty of the premises in  
manner and form as the <sup>af</sup> Isaac above against him hath complained -

Whereupon the <sup>af</sup> Isaac Appoon by his attorney <sup>af</sup> prays the Court that noe  
Judgm<sup>t</sup>. as yett may be given on the Verd<sup>t</sup> <sup>af</sup>, but that the Court may according to  
act of assembly in such case made and provided may dissolve themselves into a Court  
of Chancery and hear and determine the matter between them in Controversie <sup>af</sup> accord-  
ing to Equity <sup>af</sup> which is granted <sup>af</sup> Whereupon all and singular the premises  
<sup>af</sup> by the Court here fully understood and mature deliberation thereupon had it  
seemeth to the Justices here that according to Equity, Judgm<sup>t</sup>. ought to be Entered for  
the <sup>af</sup> John Barker on the Verd<sup>t</sup> <sup>af</sup> by the Jurors <sup>af</sup> given <sup>af</sup> -

Therefore it is considered and desired by the Court here this <sup>af</sup> the day of Novemb<sup>r</sup>  
and Dond One thousand seven hundred and twenty six <sup>af</sup> that the <sup>af</sup> Isaac Appoon take nothing  
by his declaration <sup>af</sup>, but be in mercy for his false clamour and that the <sup>af</sup> John Barker go thereof without  
day <sup>af</sup>. also it is considered  
And that the <sup>af</sup> John Barker recover ag<sup>t</sup> the <sup>af</sup> Isaac Appoon seven hundred and twenty nine  
pounds of Tobacco for his Costs and Charges by him about his Sute in <sup>af</sup> and added to the same <sup>af</sup> by the Court here  
of his cost according to <sup>af</sup> of <sup>af</sup> in <sup>af</sup> for lately made & provided adjudged <sup>af</sup> - John Caldwell and