

Horse by their Attorneys aforesaid and whereupon the same Nathaniel Prays for their Leave there of to Imparler here until the Next Court and he hath it and the same day is given to the aforesaid John here also &c.

All which said Next Court to witt the twentieth day of June and there: One thousand Seven hundred and thirty two came againe as well the aforesaid John Outerbrige by his attorney aforesaid as the said Nathaniel Horse by his attorney aforesaid and the said Nathaniel Horse as before defend: the force and Injury when he said that he did not assume upon himself in manner and form as the aforesaid above against him but the Complainant and of this he puts himselfe upon the Country by and the aforesaid John Outerbrige in like manner. Thereupon Command is given to the Just. of Somerset County that immediately he cause to come here twelve by whom he who neither do to recognize the because as well the after wards in the same Court came the said Just. to witt Joshua Caldwell Esq. and made Return that he had here ready twelve by as by the said precept he was Commaund, and afterwards is some day and Year Last mentioned came as well the aforesaid John as the aforesaid Nathaniel by their attorney, aforesaid and the Jurors of that same Jury Imparcelled being called came to witt Edward Rownd James Marmorie, John Donelson, Cannon Wainright Robert Mitchele, Thomas Bonier Samuel Hopkins, John Webb Richard Knight Thomas Collins Joseph Meeker and William Harist In who to say the truth in the premises being elected tryed and sworn. - whereupon the aforesaid John and by the Consent of the same Nathaniel by their attorney aforesaid, Edward Rownd the first person named on a Jury aforesaid, is withdrawn, and all the rest of the Jurors aforesaid are discharged. whereupon the dispute in the action aforesaid is at the prayer of the aforesaid Plaintiff and defend: referred to Edward Rownd, John Donelson and Samuel Hopkins Just. Gent. or any two of them according to the Statute in such Case provided, and then award in the premises by them, or any two of them, to be made and returned immediately to this Court, and Judgmt to be given thereon by and afterwards in the same Court came the aforesaid Edward Rownd, John Donelson and Samuel Hopkins Just. the arbitrators mentioned in the aforesaid rule of reference and made Return to the Court here that they find the Balance due to the aforesaid John Outerbrige nine pounds twelve Shillings and Seven pence Curr. money from the aforesaid Nathaniel Horse &c.

Whereupon the aforesaid Nathaniel Horse by his attorney aforesaid says that he cannot say the action aforesaid of the aforesaid John Outerbrige, nor can he say but that the same Nathaniel did assume upon himselfe in manner and form as the aforesaid John above against him Complainant and as to the damage of the same John by him by Omission of the premises in that part Sustained the same Nathaniel says and Confesseth that the aforesaid John has Sustained Damages by Omission of the premises in that part appoyed to the aforesaid nine pounds twelve Shillings and Seven pence Currant money and not more and because the aforesaid John deny not this but the same allegation Confesseth to be true prays Judgmt and those Damages above Confessed toge: ther with his Costs and Charges aforesaid to him adjudged be therefore by Consent of the