

the County afo to this Imppannelled being called came to wit Barker Selby George Tule Lillaton Town- send Robert Mitchell Joshua Sturges George Benson, William Mills, Thomas Bayley, Wm. Hoke and John Fleming Day Scott and Wm. Gray junr who to say the truth of the premises being duly elected tried and Sworn upon their Oath did say. that the afo John White doth owe to the afo Isaac Beachamp fifty shillings Current money of Maryland and for his Costs & Charges to one pound of wbol - - - whereupon the afo John prays the Court here that Judgement upon the Verdict afo may not be rendered for that it appears - - -

- 1. By the Record and process afo that there was no such Issue depending between the afo Isaac and the afo John as the Jurors afo did undertake to try
- 2. ly That if any such Issue was depending it was an Immaterial Issue the Declaration being grounded on a personal Act of Assembly and that Act Declared upon in case
- 3. ly That upon that Act of Assembly the Jurors undertook to strike the penalty (if any there was suffered) when it was particularly Directed by the Law - and

Lastly. That the Declaration afo is abundantly Insufficient in Law for which Reason & Others the same John as before prays that Judgement upon the Verdict afo may not be rendered

Whereupon all and singular the premises by the Justices here being seen heard and fully understood and mature deliberation thereupon had it seemeth to the Justices here that the plea afo of the afo John and the Issue thereupon Joyned is Immaterial, to the Declaration of the afo Isaac by Reason - whereof, it is said by the Justices here to the afo John that he further answer to the said Isaac, to his Declaration afo at his peril - Hereupon the said John saith under protestation that the Declaration afo is Insufficient in Law that the afo Isaac his action afo against him to have or maintain ought not because he saith that he is not guilty of the premises in the Declaration afo - above mentioned and thereof he puts himself upon the Country - and the afo prays in like manner

Thereupon it is again Comanded the Sheriff of Somerset County that Immediately he should Cause to come here before the Justices of his Lordships County Court of Somerset now in Court sitting at dividing Creek in the County afo to wit by whom & who neither to be recognized because as wete & afterwards Immediately came there of the Jury & the Jurors of that same Jury by Joshua Caldwell Gent. Sheriff of the County afo to this Imppannelled being called came to wit. John Caldwell, John Durnal, Francis Carter, George Tule Lillaton Townsend Wm. Gray, Brass Broughton Samuel Dorman, James Townsend, Philip Selby, Samuel Atkinson and Robert Mitchell who to say the truth of the premises being duly elected tried and Sworn and from the bars of and considering, of their Verdict, of and upon the premises afo to render, amongst themselves to Comand did render and afterwards to the same Bar for their Verdict. in that part to render did return up - On which the afo prays altho solemnly called comes not nor in his writ afo further prosecuted against the said John White -

Therefore it is Considered by the Court here that the afo Isaac Beachamp wants nothing by his writ and Declaration afo, but that he and his pledges of prosecuting to wit John & Co