

and thereupon the said John Lamberson as before defends the force and Injury when E. C says that he did not assume upon himself in manner & form as the said John White above against him hath complained and of this he puts himself upon the Country &c. And the Just. likewise E.

Thereupon it is Commanded the Sherife of Somerset County that immediately he should cause to come here before the Justices of his Lordships County Court of Somerset now here sitting at Dividing Creek in the same County twelve &c. by whom &c. and who neither &c. to Recognize &c. because as well &c. and afterward immediately came three of the Jury &c. and the Jurors of that same Jury by Joseph M. Lester Clerk Sheriff of the County afo to this Imprisoned being called came to wit Mathew Hopkins Thomas Dixon John William Williqui Jasid — Phillip Quinton Peter Raywell Thomas Bullett Hutton Hill Joshua Porter John Duty John Webb John Berkun who to say the truth of the premises ^{aforsaid} being duly elected tryed and sworn upon their Oath sayd that the aforsaid John Lamberson did assume upon himself in manner and form as the aforsaid John White above against him hath complained and assessed the damages of the same John White by Reason of the non performance of the promise and assumption afo beyond his Costs and Charges by him about his Suit in that part assessed to five pounds Curr. money of Maryland and for those Costs and Charges to one pound of Tobacco

Whereupon the same John Lamberson by his attorney afo prays the Justices of his Lordships County Court of Somerset that they would dissolve themselves into a Court of Chancery and give Judgment between the parties afo according to Equity and good conscience as by Act of Assembly in such case made and provided; which is to him granted he filing his bill in Equity for that purpose, that his said Lordships Justices may proceed thereon

W.B. & D John follows
for Jno. Oscar

Command was given to the Sheriff of Somerset County that he should take John Oscar late of Somerset County planter if he should be found in ~~your~~ his bailiwick and him should safekeep so that he might have his body before the Justices of his Lordships County Court of Somerset to be hold at Dividing Creek the third Tuesday of March then next to answer unto John follows of Exton of the pass up; on this case &c. and that there of he should not fail &c.

At the said third Tuesday of March to wit the eighteenth day of the same month and Dom. One thousand seven hundred and thirty four being the day of the return of the said Writ Cometh the said Jno follows