

March Court 1735 144

Lord Proprietary in this part prosecuteth doth come here into the County Court of the same Lord Proprietary held for Somerset County aforesaid to wit at Dwidning Creek in the County of the Eighteenth day of March in the Year of our Lord God Seventeen hundred and thirty five before John Dumble Esq^r. and his associates the said Lord Proprietary his Justices of the same County Court and for the same Lord Proprietary doth give the same Justices here to understand and be informed that James Duffey late of Coventry parish in the County of Taylor the twenty sixth day of December in the Year of our Lord God seventeen hundred thirty and five at the parish aforesaid in the County aforesaid with the Jurisdiction of this Court did commit Fornication with a certain Honourable Flally and of her body then and there had carnal knowledge and a Bastard Child on the body of her the same Honourable then and there did beget to the high displeasure of almighty God to the evil Example of all others in such case offending contrary to the peace of the said Lord Proprietary that now is his good rule and government and against the Form of Act of assembly in such case lately made and provided be whereupon the said attorney of the said Lord Proprietary for the same Lord Proprietary prayeth the Advice of the Court herein the premises and that due process of Law in this part may be made against the aforesaid James to answer the same Lord Proprietary of and upon the Premises be

Thereupon Command was given to the Sheriff of Somerset County that he should take the said James Duffey ^{to answer} and afterwards to wit the Sixteenth day of March and do so One thousand Seven hundred and thirty five before the Justices of his Lordships County Court of Somerset now here held at Dwidning Creek in the County of the same Lord Proprietary came the said James Duffey in his proper person in custody of the Sheriff of Somerset County and being by the said Lord Proprietary led to the Bar had a hearing of the Information aforesaid that of the premises aforesaid as by the Information above against him suggested he is not guilty thereof and William Goldborough Gent his Lordships attorney and who for his said Lordship in that part followeth Likewise afterwards the said James Duffey present here in Court in his proper person relinquisheth his verification aforesaid by him above alleged and saith that of the premises aforesaid above upon him Imposed with that he is guilty thereof but hath not wherewithall to pay his fine for the fact aforesaid whereupon all and singular the premises by the Court here seen heard and fully understood It is considered by the Justices here that the aforesaid James Duffey be whipt at the publick whipping post with twenty Stripes on the bare Back well said on while the Blood appear and that he be taken ^{up} and thereupon as to the corporal punishment aforesaid Command is given to the Sheriff of Somerset ^{County} that he do show of Immediate Execution by whipping of the said James Duffey at the publick Whipping post with Twenty Stripes on the bare back well said on until the Blood appear and afterwards in the said Court came the said Sher. and made return that he had done the Execution of the Judgment aforesaid as to the corporal punishment aforesaid he was Commanded and thereupon the said James Duffey is ordered to give Security for the payment of the several Officers their fees due on the premises aforesaid but for want thereof the said James Duffey is committed into the custody of