

June Court ..... 1736 ..... 208.

same day is given to the aforesaid Southy here also &c. — All which said next Court to with the fifth the  
Day of June and Dem. One thousand Seven hundred and thirty Six came againe as well the aforesaid Southy —  
Whittington as the aforesaid Isaac Morris by their attorney, aforesaid and whereupon the said Isaac as before said,  
his free and injury when &c. and saith that he with the debt aforesaid by virtue of the Writing aforesaid to be bur-  
thened ought not because he saith that the aforesaid Eliza in her Life time to with on the aforesaid twenty first day  
of December in the year seventeen hundred and thirty three at Somerset County did pay  
and satisfy unto the aforesaid Southy Whittington the aforesaid sum of fifteen pounds according to  
form and effect of the writing Obligatory aforesaid and thus he is ready to verify wherefore —  
he prays Judgment if he with the debt aforesaid by virtue of the writing obligatory aforesaid to be  
burthened ought &c. — And the aforesaid Southy Whittington saith that he by anything  
by the aforesaid Isaac above in his plea alledged from having his action aforesaid against him in  
his capacity aforesaid to be barred ought not because he saith that the said Eliza in her life-  
time to with on the aforesaid twenty first day of December in the year seventeen hundred and  
thirty three did not satisfy and pay unto the said Southy the aforesaid fifteen pounds in Man-  
ner and forme as the said Isaac above in his plea by pleading hath alledged and thus he  
prays may be Inquired of by the Court &c. — and the aforesaid Isaac in Liberator. —

Thereupon it is Commanded the Sheriff of Somerset County that immediately he should come to come  
here before the Justices of his Lordships County Court of Somerset now sitting at Dividing Creek in the County  
Twelve &c. by whom &c. and who neither &c. to Inquire &c. because as well &c. and afterwards immediately came  
thereof the Jury &c. and the Jurors of that same Jury by Joseph M. <sup>Justice</sup> of the County &c. to this Inqui-  
rers being called came to with Robert Jones, Joseph Wiles, Christopher Nutter, Angello Alkison, Wm. Porter  
Thomas Under, Jonathan Stinger, John Reddish, Charles Townsend, John Roach, Henry Turner, Bayn —  
Townsend who to say the truth of the premises being duly elected tryed and sworn upon their Oaths do  
say that the aforesaid Eliza <sup>in her life time</sup> to with on the twenty first day of December in the year One thousand seven  
hundred and thirty three did pay and satisfy unto the aforesaid Southy Whittington the aforesaid fifteen pounds  
according to the form and Effect of the writing Obligatory aforesaid as the aforesaid Isaac above by pleading hath  
alledged &c. — Therefore it is Considered that the aforesaid Southy Whittington hath nothing by his writ and  
Declaration aforesaid but be in money for his false Remembrance and that the said Isaac Morris &c. of the same Eliza Davis goe  
thereof without day — And further it is Considered by the Court here that the aforesaid Isaac Morris Recover against  
the aforesaid Southy Whittington  
for his Costs and Charges by him about his defence in that part Sustained to the same Isaac by the Court here  
according to the form of the Statute in such Case lately made and provided of this aforesaid adjudged and that the aforesaid  
Isaac have the same of Reason &c.