

August Court 1735 (73)

when & and says that he is not guilty of the premises above upon him Imposed in manner and form as the said James above against him hath complained and of this he puts himself upon the country and the jury. Likewise thereupon it is commanded the Sheriff of Somerset County that immediately he should cause to come here before the Justice of his Lordship's County Court of Somerset now sitting at dividing Creek in the County aforesaid twelve & by whom & and who neither & to Recognize & because as well & and afterwards immediately came thereof the Jury & and the Jurors of that same Jury By Joseph Maulester Gent. Sheriff of the County aforesaid to this Impannelled being called came to wit William Holland Lewis Jones, Joshua Caldwell, Robert Mitchell, Philip Quinton, Joseph Houston, John Record, Nathaniel Capper, Benjamin Tull, John Townsend Junr. Thomas Achworth, John Pope who to say the truth of the premises aforesaid being duly Sworn by and sworn upon their Oath do say that the said Benjamin Venables is guilty of the premises & in manner and form as the said James Givans above against him hath complained and assessed the damages of the same James by him by occasion of the premises aforesaid beyond his Costs and Charges by him about his suit in that part assessed to three pounds fifteen Shillings Curr. money of Maryland for those Costs and Charges to one pound of Tobacco.

Therefore it is considered by the Court here that the said James Givans recover against the said Benjamin Venables his damages aforesaid by the Jurors aforesaid in form aforesaid assessed as also 708. Seven hundred and Eight pounds of Tobacco for his Costs and Charges aforesaid to the same James Givans by the Court here of his assent of increase as judged which certain damages in the whole do amount to three pounds fifteen Shillings Curr. money of Maryland and Seven hundred & Ninety pounds of Tobacco and the aforesaid Benjamin Venables in Mer: cy &

Ed John Hendry. Command was given to the Sheriff of Somerset County that he should take the ft. Geo: Howard. George Howard Esq of Somerset County planter if he should be found in his bailiwick and him should safe keep so that he might have his body before the Justice of his Lordship's County Court of Somerset to be hold at dividing Creek in the County aforesaid the third Tuesday of March then next to answer unto John Hendry of a plea of trespass upon the Case & that hereof he should not fail &

All which said third Tuesday of March to wit the Eighteenth day of the same month and Dowd. One thousand seven hundred and thirty five being the day of the return of the said writ Cometh the said John Hendry by Geo: Douglas his attorney and the Sheriff of Somerset County to whom the foregoing writ was directed Likewise Cometh & maketh return thereof endorsed vizt Legi Cor: pus of Joseph Maulester Sheriff

Whereupon the said John Hendry by his attorney aforesaid prays the Justice of