

November Court 1737 176

af. to the Jurors af. to be false and maliciously and by the said Robert Collier against the said Wouney falsely and maliciously to be deceived and Injured did appear and by means thereof after evidence in and concerning the premises to them fully given then and there ^{gave} their verdict and answer in and concerning the bill of Indictment af. that they the said Jurors of the matter af. in the af. bill of Indictment specified and contained were Ignorant and the af. Wouney says that he by means of the premises not only in his good name fame credit much hurt and damaged doth appear but also twelve hundred and forty pounds of tobacco and sundry other sums of money and tobacco by means of the said prosecution was forced to expend Whereupon he says he is the worse to the value of four thousand pounds of tobacco and thereof he brings suit &c. — Pledges of J. Doe & R. Roe

And the af. Robert Collier by William Beekeingham his attorney comes and defends the force of Injury when &c. and prays leave thereof to Injunct here until the third day of November And Dond one thousand seven hundred and thirty seven and he hath it and the same day is given to the af. Wouney here also &c. All which day here before his Lordships Justices at deciding here came againe as well the af. Wouney Maulemney as the af. Robert Collier by their attorneys af. And Whereupon the same Wouney then and there his writs af. against the af. Robert Collier did not prosecute with effect but voluntarily suffered his suit to be discontinued. Therefore afterward to witt that same day by discretion of his said Lordships Justices here were adjudged to the same Robert Collier:

296: pounds of tobacco for his Costs and Charges by him about his defence in that part sustained according to the form of the statutes in such case thereof lately made and provided and the af. Wouney in mercy and that the af. Robert have thereof Execution &c.

Thomas Newell } Command was given to the sheriffe of Somerset County that he should
Edw. 10th Maulemney. } take William Maulemney late of Somerset County planter if he should be found