

held at dividing Creek the third Tuesday of June then next following Twelve £. by whom £. and who neither £. to recognize & because as well £. and the same day is given to the aforesaid parties here £. At which day before his Lordship's Justice at at about then held at dividing Creek in aid for the County aforesaid came as well the aforesaid Henry Lower by William Arbuckle his attorney as the aforesaid Francis Tate by his attorney aforesaid and the Jurors of that Jury being called some of them to wit Joshua Caldwell, Joseph Miller, Mitchell Jones, John Dennis P. Hunt Kutter John Evans John Shily Solomon Long Robert Michel Daniel Jones and William Brown came and were sworn upon that Jury and because one of the Jurors of that same Jury did not appear herefore an Other of the Standers by herunto Elected by the Sheriff of the County aforesaid and at the Request of the aforesaid Henry Lower and by the Command of the aforesaid Justice is newly put on whose name to the pannell within Written is affiled according to the form of the Statute in such Case made and provided which said Juror so newly put on to wit Hutton Hill being called Likewise came who to say the truth of the premises aforesaid together with the Other Jurors aforesaid first Impanelled and Sworn being Elected tryed and Sworn upon their Oath say that the aforesaid Francis Tate did not assume upon himself in manner and form as the aforesaid Francis by pleading above alleged &c. Therefore it is considered that the aforesaid Henry Lower take nothing by his writ aforesaid but for his false clamour be thereof in mery and that the aforesaid Francis Tate goe thereof without day &c. and further it is considered that the aforesaid Francis Tate Recover against the aforesaid Henry Lower

four pounds of tobacco for his costs and charges by him about his defence in that part sustained to the same Francis by the Court here of his appeal adjudged according to the form of the statute in such Case made and provided adjudged and that the aforesaid Francis have thereof

Command was given to the Sheriff of Somerset County that he should take Mary Bozman late of Somerset County widow Administratrix of all and Singular the goods Chattles rights and Credits which were of George Bozman her late husband dec'd at the time of his death who died in testate if she should be found in his bailiwick and her should safe keep so that he might have her body before the Justices of his Lordship's County Court of Somerset to be held at dividing Creek the third Tuesday of June Anno Dom one thousand seven hundred and forty to answer unto William Kitchen of a plea of trespass upon the Case and the same day is given to the aforesaid William here £.

At which day here came the aforesaid William Kitchen by George Douglas his attorney and the Sheriff to wit John Henry Gent now here Returned that he had taken the aforesaid Mary Bozman whose body hereat this day he had Ready to answer the aforesaid William Kitchen of the aforesaid plea as to him it was Comanded.

Whereupon the aforesaid Mary Bozman puts in her place William Arbuckle Gent. Attorney at Law against the aforesaid William Kitchen of the aforesaid plea.

And thereupon at the Request of the parties aforesaid day is to them now here given untill next Court to be held at dividing Creek the third Tuesday of August then next following in the same state as at present saving to his parties aforesaid. At which day here came again the aforesaid William Kitchen as the aforesaid Mary Bozman, by their attorneys aforesaid and hereupon