

same John Zemanick there of against L. him undefended &c. for which Reason the aforesaid John in damages against the aforesaid Edward ought to recover - but because it is not known unto his Lordships Justices here what damage the aforesaid John hath sustained by Omission of the non performance of the promise and assumption aforesaid in this part sustained. Therefore Command is to the Sheriffe of the County aforesaid that by the Oath of himself and Lawfull men of his Bailiwick he diligently Inquire what damages the aforesaid John Zemanick hath sustained as well by Omission of the non performance of the promise and assumption aforesaid as for his Costs and Charges by him about his suit in that ^{part} expended and the Inquisition which thereupon he takes to his Lordships Justices at the next Court to be held at dividing Creek the third Tuesday of August then next following under his Seal and the seals of them by whose Oath he takes that same Inquisition he send together with the writ thereof to him directed and the same day is given to the aforesaid John there for.

Rt. Peter Harley } Command was given to the Sheriffe of Somersel County that he should take John
D. John Evans } Evans late of Somersel County Shipwright if he should be found in his bailiwick and
him should safe keep so that he might have his body before the Justices of his Lordships
County Court of Somersel to be held at dividing Creek the third Tuesday of March Anno Domini thousand
seven hundred and forty to answer unto Peter Harley of a plea of trespass upon the Case &c. and this same
day is given to the ^{Case} Peter here &c.

At which day here came the ^{Case} Peter Harley by Robert Jenckins Henry his attorney
and the sheriffe to wit John Standy Gent: now here returned that he had taken the ^{Case} John Evans whose
body here at this day he had ready to answer the ^{Case} Peter Harley of the ^{Case} plea, as to him it was Comanded

Whereupon the ^{Case} John Evans puts in, his place George Douglas Gent: attorney at Law.
against the ^{Case} Peter Harley of the plea ^{Case}. And thereupon at the Request of the parties ^{Case} day is to
them, now here given untill next Court to be held at dividing Creek in and for the County ^{Case} the third Tuesday of
June then next following in the same state as at present saving to the parties ^{Case}.

At which day here came againe the ^{Case} John Evans by his attorney ^{Case} and the ^{Case} Peter
Harley attor: Solemnly called same but nor is his writ ^{Case} against the ^{Case} John Evans further provented &c.

Therefore he and his pledges of prosecuting are in mercy and let the said Peter Harley name
Pledges &c. and that the ^{Case} John Evans go thereof without day Also it is considered that the ^{Case} John
Evans Recover against the ^{Case} Peter Harley his damages by occision of the premises to:
: pounds of tobacco to the same John by discretion of the Justices here at his
Request for his Costs and Charges in that part sustained according to the form of the statute in such case lately
made and provided by the Court here adjudged &c.

Rt. Edward Tomlinson } Command was given to the Sheriffe of Somersel County that he should take Francis Henderson
D. Francis Henderson } Late of Somersel County planter if he should be found in his Bailiwick and him should safe keep