

At which day here came the aforesaid John Burnall by his attorney aforesaid and the Sheriff to wit John Handy Gentleman at the same day here returned that he had Taken the aforesaid Margaret Widow whose body here at this day he had ready to answer the aforesaid John of the aforesaid plea and further the same Sheriff returned that he had served the aforesaid Margaret with a copy of the foregoing declaration according to act of assembly in such case provided for — AND the aforesaid Margaret by William Ar buckle her Attorney comes and defends the force and Injury when &c. and saith that the aforesaid John his Accord aforesaid against her to have and maintain ought not because she saith that the aforesaid James in his life time did not Assume at any time within three years before the Impetration of the original writ of him the said John in manner and form as the aforesaid John against her hath complained and this she is ready to verify whereupon she prays if the aforesaid John his Accord aforesaid against her ought to have

Whereupon the said John Burnall prayeth leave thereof to Imparte here untill next Court to be held at dividing Creek the third Tuesday of June then next following and he hath it and the same day is given to the aforesaid Margaret here also &c.

At which day here came again as well the aforesaid John Burnall as the aforesaid Margaret Lindow by their Attorney aforesaid And whereupon the aforesaid Margaret prays that the aforesaid John Burnall to the plea of her the same Margaret may reply thereupon it is said to the same John by the Court here that he reply to the plea aforesaid at his peril but the same John altho' solemnly called came not, nor to the plea aforesaid of the same Margaret replied, nor is his writ aforesaid against the aforesaid Margaret further prosecuted —

Therefore it is considered by the Court here that the aforesaid John Burnall take nothing by his writ aforesaid, but that he and his pledges of prosecuting to wit John Doe and Rich Roe are in mercy, and that the aforesaid Margaret Widow goe thereof without day &c. And further it is considered that the aforesaid Margaret Widow administratrix of the aforesaid James Widow Recover against the aforesaid John Burnall 258 and charge by her about her defence aforesaid in this part Sustained to the same Margaret by the Court here — as judged according to the form of the Statute thereof lately made and provided and the same Margaret have hereof Execution &c.

The Same — Command was given to the Sheriff of Somerset County the should take Hutton Hill late of Somerset County planter Administrator of all and singular the goods and Chattles and Credits which were of Johnson Hill late of Somerset County planter deceased 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 Lordship's County Court of Somerset to be held at dividing Creek the third Tuesday of March anno Domini thousand seven hundred and forty to answer unto John Burnall of plea of trespass upon the case &c. and the same day is given to the aforesaid John here &c.

And the said John Burnall complained against the aforesaid Hutton Hill in the plea aforesaid in form following — Somerset County s Hutton Hill late of Somerset County planter Administrator of all and singular the goods and Chattles and Credits which were of Johnson Hill late of Somerset County planter deceased was attached to answer to John Burnall of plea