

June: 17th. 1740. Then personally appeared before me the Subscriber One of his Lordships Justices of the peace for the County of Somerset Francis Tate and made Oath on the holy Evangelist of Almighty God that the within account is just and true as it stands stated and that he hath received noe part or parcel thereof Security or Satisfaction for the same more than Credit given for . . . Sworn before me Willm. Lane

A Copy of the foregoing declaration and account were made and Sent to be Served on the defend^r. in Custody as aforesaid . . .

AND the said George Russett in Custody as aforesaid by Robert Jenkin's Henry his attorney came and defended the force and Injury when &c. and prayeth Leave thereof to Impare hereuntoe next Court to be held at dividing Creek the third Tuesday of March then next following and he hath it and the same day is given to the afo Francis here above

All which day here came againe as well the aforesaid Francis Tate by his attorney afo as the afo George Russett in Custody as afo by his attorney afo and whereupon the same George in Custody as afo pray. further Leave thereof to Impare here untoe 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 afo Francis here above

All which day here came againe as well the aforesaid Francis Tate by his attorney aforesaid as the aforesaid George Russett in Custody as afo by his attorney afo and whereupon the said George Russett as before defends the force and Injury when &c. and says that he did not assume upon himself in manner and form as the afo Francis above against him hath complained and of this he puts himself upon the Country - and the plaintiff in Submission

Therefore Command is given to the Sheriff of Somerset County that he should cause to come before his Lordships Justices at the next Court to be held at dividing Creek in and for the County afo the third Tuesday of August then next following Twelve &c. by whom &c. and who neither &c. to Recognize &c. because as well &c. and the same day is given as well to the afo Francis as the aforesaid George in Custody as afo

All which day here came againe as well the afo Francis by his attorney afo as the afo George in Custody as afo by his attorney afo and the Sheriff sends not thereof his writ &c. And whereupon the parties afo present here in Court in their proper persons Submitted their dispute in this action to the arbitrament and final determination of George Dashiell and Henry Ballard of Somerset County Gentlemen and it is agreed by and Between the parties afo that the afo Arbitrators Return their arbitrament in Writing under their hands Immediately to his Lordships Justices in Court now here sitting that the Court may proceed thereon to Judgment against either of them the parties afo as if the Cause were determined by the Court And it is further agreed by and Between the parties afo that that Submission be made a rule of Court herefore it is Ordered that the Submission afo in manner and form aforesaid made according to the form and Effect of the Statute in that Case lately made and provided be entered and made a rule of this Court on the motion of the parties afo. And afterwards to wit the same day and year came hereuntoe Court the afo George Dashiell and Henry Ballard the Gentlemen mentioned in the above Submission and returned their arbitrament in the premises afo between the parties afo in manner following

Pursuant to the Submission of Francis Tate plaintiff and George Russett Def^t. we doe award that the afo George Russett pay to the said Tate twelve pounds Curr^t money of Maryland together with Cost given under our hands this 19 day of August 1741
Geo. Dashiell
Henry Ballard