

August Court . . . . . 1741 . . . . . 171

plea . . . . . And thereupon at the request of the parties a<sup>d</sup> day is to them now here given untill next Court to be held at dividing creek in and for the County a<sup>f</sup> the third Tuesday of August then next following in the same state as at present saving to the parties a<sup>f</sup> . . . . . At which day here came again the a<sup>f</sup> John Waller by his Attorney a<sup>f</sup> and the a<sup>f</sup> Francis Lee <sup>with</sup> solemnly

called came not nor his writ a<sup>f</sup> against the a<sup>f</sup> John Waller further prosecuted &

Therefore he and his pledges of prosecuting are in mercy and let the said Francis Lee name Pledges & And that the a<sup>f</sup> John Waller goe thereof without day also it is considered that the a<sup>f</sup> John Waller recover against the a<sup>f</sup> Francis Lee his damages by Occasion of the premises to: . . . . . pounds of tobacco to the

164 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 &

Isaac Coston . . . . .  
a<sup>f</sup>

Command was given to the Sheriffe of Somerset County that he should take Stephen W. A. Stephen Coston . . . . . Coston late of Somerset County planter if he should be found in his body with and him. should safe keep so that he might have his body before the Justices of his Lordships County Court of Somerset to be held at dividing creek the third Tuesday of June Anno Dom one thousand seven hundred and forty one to answer unto Isaac Coston of a plea of trespass upon the case & And the same day is given to the a<sup>f</sup> Isaac here &

At which day here came the a<sup>f</sup> Isaac Coston by George Douglas his Attorney and the sheriffe to witt John Handy Gent now here returned that he had taken the a<sup>f</sup> Stephen Coston whose body here at this day he had ready to answer the a<sup>f</sup> Isaac Coston of the a<sup>f</sup> plea as to him it was Comanded

Whereupon the a<sup>f</sup> Stephen Coston puts in his place William Arbuckle Gent Attorney at Law against the a<sup>f</sup> Isaac Coston of the a<sup>f</sup> plea . . . . . And thereupon at the request of the parties a<sup>d</sup> day is to them now here given untill next Court to be held at

dividing creek in and for the County a<sup>f</sup> the third Tuesday of August then next following in the same state as at present saving to the parties a<sup>f</sup> . . . . . At which day here came again the a<sup>f</sup> Stephen Coston by his Attorney a<sup>f</sup> and the a<sup>f</sup> Isaac Coston altho: solemnly called came not nor is his writ a<sup>f</sup> against the a<sup>f</sup> Stephen Coston further prosecuted &

Therefore he and his pledges of prosecuting are in mercy and let the said Isaac Coston name Pledges & And that the a<sup>f</sup> Stephen Coston goe thereof without day also it is considered that the a<sup>f</sup> Stephen Coston recover against the a<sup>f</sup> Isaac Coston his damages by Occasion of the premises to: . . . . . pounds of tobacco to the same

152 Stephen 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 &

2<sup>d</sup> Aug: 1740 Gaspar Bartlett Esq: of the County of . . . . .  
To the deceaseds estate then accounted for . £94<sup>u</sup> 5<sup>s</sup> 10

Robert Meers } Sureties  
and  
John Reed . . . . .

Signed for order of Wm Rogers Regis

By Disbursements allowed including legacies & widows thirds } £94<sup>u</sup> 11<sup>s</sup> 11<sup>d</sup>  
Tobacco secured and disposed according to law and the deceders will between Gaspar Bartlett Sarah Bartlett which } £94<sup>u</sup> 5<sup>s</sup> 10<sup>d</sup>  
is to each £12<sup>u</sup> 5<sup>s</sup> 6<sup>d</sup> in all . . . . .