

June Court 1742

And further the same Sheriff returned that he had served the aforesaid Woney Mablemoy with a copy of the foregoing declaration according to act of assembly in such case made and provided.

Whereupon the said Woney Mablemoy present herein Court in his proper person at the prayer of the aforesaid David Wilson is adjudged to give Special bail to the action aforesaid Thereupon a certain James Furnis of Somerset County planter present herein Court in his proper person undertook for the said Woney Mablemoy (likewise the said Woney Mablemoy present herein Court as aforesaid assumed upon himself) that if it should happen that Judgment in the plea aforesaid should be rendered for the aforesaid David Wilson against the same Woney Mablemoy or that he the same Woney should be therein convicted that then he the said Woney Mablemoy shall pay and satisfy unto the said David Wilson the Judgment of the Court thereupon or tender his body in Execution of such Judgment to the prison of the Sheriff of the County of Somerset in Satisfaction hereof or that he the said James Furnis will do the same for him. --

And the aforesaid Woney Mablemoy by Francis Allen his attorney comes and defends the force and Injury when &c. and pray Leave thereof to imparle hereunto the next Court to be held at Dividing Creek in and for the County of Somerset the third Tuesday of March then next following and he hath it and the same day is given to the aforesaid David here also &c.

All which day here came againe as well the aforesaid David Wilson as the aforesaid Woney Mablemoy by their attorneys aforesaid and whereupon the said Woney as before defends the force and Injury when &c. and saith that he did not assume upon himself in manner and form as the said David above against him hath complained and of this he puts himself upon the Country .. and the aforesaid David in like manner.

Therefore Commaund is to the Sheriff of Somerset County that he should cause to come before the Justice of his Lordships County Court of Somerset to be held at Dividing Creek the third Tuesday of June then next following Twelveth by whom &c. and who neither &c. to Recognize &c. because as well &c. and the same day is given to the parties aforesaid there &c.

All which day here came againe as well the aforesaid David Wilson as the aforesaid Woney Mablemoy by their attorneys aforesaid and the Jurors of that Jury therein Impannell'd being called some of them being Barker Selby Thomas Sanden, Charles Dashiell, John Dennis Junr. Joshua Ringer George Tule Mitchell Jones Joseph Houston Thomas Banister and John Evans came and Sworn upon that Jury and because the residue of the Jurors aforesaid that same Jury did not appear therefore Others of the by Standers are by the Sheriff of the County aforesaid elected and at the Request of the aforesaid David Wilson and by the Commaund of the aforesaid Justice are newly put on whose names to the pannel within written are affixed according to the form of the Statute in such case made and provided which same Jurors so newly put on that is to say Elias Evans and Thomas Bayly being called likewise came who to say the truth of the premises aforesaid together with the other Jurors aforesaid before Impannell'd and Sworn being Elected byed and Sworn upon their Oath say that the aforesaid Woney Mablemoy did assume upon himself in such manner and form as the aforesaid David Wilson above against him hath complained and assayed the damage of the same David beyond his fork and Charger by him about his Suit in that part Assoyed to Eleven pounds Current money of Maryland