

June Court..... 1742..... 305

Answer the ^{of} Sarah Brittingham of the ^{of} plea as to him it was Commanded &c

Whereupon the said Elijah Brittingham present herein Court in his proper person at the prayer of the ^{of} Sarah Brittingham is adjudged to give special bail to the action ^{of} Thereupon a certain James Baker of Somerset County planter present herein Court in his proper person undertook for the said Elijah Brittingham (Likewise the said Elijah Brittingham present herein Court as ^{of} assumed upon himself that if it should happen that Judgment in the plea ^{of} should be rendered for the ^{of} Sarah Brittingham against the same Elijah Brittingham that he the same Elijah should be therein Convict that then he the said Elijah should pay and satisfy unto the said Sarah Brittingham 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} in satisfaction thereof for that he the same James Baker will do the same for him &c

Whereupon the ^{of} Elijah Brittingham puts in his place Robert Jenkins Henry Gent. Attorney at Law against the ^{of} Sarah Brittingham of the ^{of} plea

And thereupon at the request of the parties ^{of} days to them now here given untill next Court to be held at dividing Creek the third Tuesday of June then next following in the same state as at present nowing to the parties. ^{of} &c

All which day here came againe the aforesaid Elijah Brittingham by his attorney aforesaid and Offers himselfe against the aforesaid Sarah of the aforesaid plea. but the said Sarah altho. Specially called came not nor is her writt aforesaid against the aforesaid Elijah further presented &c

Therefore she and her pledges of prosecuting are in mercy and Let the same Sarah name pledges &c and that the said Elijah goe thoro without day &c

This Lordship... Somerset &c The Inhabitants the Right Honourable the Lord proprietory that now is for Marshall Townsend the body of Somerset County upon their Oath do present that Marshall Townsend late of Coventry parish in the said County of Somerset planter the twenty seventh day of May in the year of our Lord one thousand seven hundred forty and two with force and arms at the parish ^{of} in the County ^{of} one Gray mare the proper mare of a certain John Denston then and there did take and Impound and with Force and Arms the Hair of the tail of the same Mare did Cut off and the said mare disfigure and the mouth of the said mare with a stick then and there lay and set Estray to the great Damage of the said John Denston and Contrary to the peace of the said Lord propety his good rule & Government
Testes John Denston John Smith Eliz. Donohoe Sarah Donohoe John Donohoe & John Townsend &c
On the foregoing bill of Indictment it was Endorsed Ignoramus W^m Waters Foreman