

down or decayed. This deponent further saith that a few days there after he was informed by the said Robert Taylor that his Little Boy had cut down the said Saplin and that the tree now marked with eight notches as the place where the said second Rounder stood is very near the spot which the said Taylor and Wood had allowed as a^d: and from thence upon their Survey directed their east Line into the woods and further this deponent saith not.

Isaac ^{his} ~~X~~ Boston
marks

Wth Giles Bashaw . . .

vs: James Peterkin et ux.

Command was given to the sheriffe of Somerset County that he should take James Peterkin his late of Somerset County planter and Elizabeth his wife if they should be found in his bailiwick and them should safe keep so that he might have their bodies before the Justices of his Lordships County Court of Somerset to be held at dividing Creek the third Tuesday of November Anno Domini one thousand seven hundred and thirtynine to answer unto Giles Bashaw of a plea of trespass upon the Case and the same day is given to the a^d: Giles here v^{er} . . .

At which day here came the a^d: Giles Bashaw by William Arbuckle his Attorney and the sheriffe to witt John Henry Gent now here returned that he had taken the a^d: James Peterkin and Elizabeth his wife whose bodies here at this day he had ready to answer the a^d: Giles of the a^d: plea as to him it was Comanded -

And the said James in his proper person comes and says that the Court here of the Right Honourable the Lord Proprietary for this County of Somerset Cognizance of the plea a^d: to have ought not because he says that he the same James on the day of the Impetration of the Originall writ of the said Giles and long before and continually since that time was and still is an Inhabitant and did reside in the County of Dorchester in the province of Maryland and the said James at the time when he was arrested by the sheriffe of Somerset County by vertue of the said Originall writ to answer the said Giles of the plea a^d: was in the said County of Somerset about his lawfull affairs with this that the said James will verify that the sheriffe or Coroner of the said County of Dorchester had not at any time before the Impetration of the said Originall writ of the said Giles returned a non Est Inventus on a Capias ad Respondendum or a Capias ad satisfaciendum Issued at the request of the said Giles against him the said James Whereupon the said James intends not that the Court here cognizance of the plea a^d: or the plea a^d: in Court here further will hold v^{er} . . .

And the aforesaid Giles Bashaw in his proper person prays Leave thereof to Imparle here untill next Court to be held at dividing Creek in and for the County aforesaid the third Tuesday of March then next following and he hath it and the same day is Given to the a^d: James and Elizabeth here v^{er} . . .

All which day here came againe as well the aforesaid James Peterkin and Elizabeth his wife in their proper persons as the a^d: Giles Bashaw in his proper person and whereupon the said Giles prays further Leave thereof to Imparle 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 a^d: James and Elizabeth here v^{er} . . .

All which day here came againe as well the a^d: Giles Bashaw as the a^d: James Peterkin and Elizabeth in their proper persons and the same Giles saith that the plea a^d: of the said James in manner and form a^d: pleaded and the