

as aforesaid (Assumed upon himself) that if it should happen that Judgment in the plea aforesaid should be rendered for the same William Kitchen against the aforesaid Francis Porter or that he the said Francis Porter should be therein convicted that then he the said Francis Porter should pay and satisfy unto the said William Kitchen the Judgment of the Court thereupon or Render the his body in Execution of such Judgment to the prison of the Sheriff of the County aforesaid in Satisfaction thereof or that he the same William Stevens will do the same for him &c.

And the aforesaid Francis Porter by Robert Jenchins Henry his Attorney Comes and defends the force and Injury when and prayeth Leave thereof to Imparle here untill next Court to be held at dividing Creek in and for the County aforesaid the third Tuesday of August then next following and he hath it and the same day is given to the aforesaid William Kitchen here also &c.

At which day here came again as well the aforesaid William Kitchen as the aforesaid Francis Porter by their Attorneys aforesaid and whereupon the same Francis Porter prayeth further Leave thereof to Imparle here untill next Court to be held at dividing Creek in and for the County aforesaid the third Tuesday of November then next following and he hath it and the same day is given to the aforesaid William Kitchen here also &c.

At which day here came again again as well the aforesaid William Kitchen as the aforesaid Francis Porter by their Attorneys aforesaid and whereupon the said Francis as before defends the force and Injury when &c. and say that he did not Assume upon himself in manner and form as the aforesaid William above against him hath Complained and of this he puts himself upon the Country &c. and the Ass in like manner -

Whereupon the parties aforesaid present here in Court in their proper persons submitted their dispute in this Cause to the arbitrament and final determination of James Martin George Dashiell and Samuel Wilson of Somerset County Gentlemen or any two of them and it is agreed by and between the parties aforesaid that the arbitrators aforesaid or any two of them return their Arbitrament in writing from under their hands immediately to the Justices of his Lordships County Court of Somerset now here held at dividing Creek that the same Justices may proceed thereon to Judgment against either of the parties aforesaid as if the same Cause were determined by the Court and further it is agreed by and between the parties aforesaid that that Submission be made a rule of this Court - Therefore it is Ordered by the Court here that the Submission aforesaid 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 aforesaid - And afterwards immediately in the same Court came the aforesaid arbitrators and made return of their Arbitrament in the premises aforesaid between the parties aforesaid in form following -

We have settled the accounts between William Kitchen and Francis Porter and find the Balance to be in William Kitchen's favour fifteen pounds Eleven Shillings and One penny Current money of Maryland besides his Costs this present suit - Geo. Dashiell. James Martin. Samuel Wilson.

Which being read and heard It is therefore Considered that the aforesaid William Kitchen Recover against the aforesaid Francis Porter his damages aforesaid to the aforesaid fifteen pounds Eleven Shillings and One penny Current money of Maryland by the arbitrators in form aforesaid as also <sup>of</sup> pounds of tobacco for his Costs and Charges to the same William Kitchen here by the Court of his aforesaid adjudged which certain damages in the whole amount to fifteen pounds Eleven Shillings and One penny Current money of Maryland and <sup>of</sup> pounds of tobacco and the aforesaid Francis in Merry &c.