

therefore others of those standing by herunto elected by the Sheriff of the County aforesaid and at the Request of the aforesaid Francis Harper and Mary his wife and by the Command of the said Justice are newly put on whose Names to the Panel within written and affixed according to the form of the Statute in such Case made and provided which said Jurors so newly put on to wit / Dawson Hough Thomas Mitchell Isaac Coston and Robert Givans being called Likewise came who to say the truth of the premises together with the other Jurors aforesaid first Impanelled and sworn being elected byed and sworn and the same Jurors of their Verdict thereupon to say by the Court here charged and from the bar of this Court of their Verdict of ayes upon the premises aforesaid to render, among themselves together to Commence depart and afterwards to the Bar for their Verdict in this part to render returned And the aforesaid Francis Harper and Mary his wife ^{all his} solemnly called came not nor is their writ aforesaid against the aforesaid James Knight further prosecuted.

Therefore it is considered that the aforesaid Francis Harper and Mary his wife and their pledges of presenting to wit John Doe and Richard Roe are in Mercy and that the aforesaid James Knight Executor of the aforesaid Aaron Jordine goe there of without day &c. Also it is considered that the aforesaid James Knight recover against the aforesaid Francis Harper and Mary his wife seven ^{hundred} and fifty six pounds of to banes for his Costs and Charges by him about his Defence in that part instanced to the same James Knight by the Court here of his aforesaid judgement according to the form of the Statute in such Case lately made and provided and that the aforesaid James Knight have thereof Potentia &c.

Command was given to the Sheriff of Somerset County that he should take Joseph Maulster late of Somerset County Gentleman if he should be found in his bailiwick and him should safe keep so that he might have his body before the Justice of his Lordships County Court of Somerset to be held at Dividing Creek in the same County the third Tuesday of August Anno Dom one thousand seven hundred and thirty nine to answer unto James Martin of a plea of trespass upon the Case and the same day is given to the aforesaid James here &c. All which day here came the aforesaid James Martin by George Douglas his attorney and the Sheriff now here returned at the same day that he had taken the aforesaid Joseph Maulster and him detained in his prison so sick and languishing that his body here at this day he could not have &c.

Thereupon it is againe commanded the aforesaid Sheriff that he or his under Sheriff should be before the Justice of his Lordships County Court of Somerset to be held at Dividing Creek the third Tuesday of November then next following bringing with them the aforesaid Joseph Maulster whether he be in health or infirm to answer the aforesaid James Martin of the aforesaid plea &c. and the same day is given to the aforesaid James Martin here &c.

All which day here ^{againe} came the aforesaid James Martin by his attorney aforesaid and the same Sheriff at the same day here returned that he had here ready the body of the aforesaid Joseph Maulster to answer the aforesaid James Martin of the aforesaid plea as to him it was ^{againe} &c.

And hereupon the said Joseph Maulster puts in his place Robert Juchini Henry Gentleman attorney at Law against the aforesaid James Martin of the aforesaid plea. Whereupon at the request of the parties aforesaid day is to them now here given until next Court to be held at Dividing Creek in and for the County aforesaid the third Tuesday of March then next following in the same state as at present saving to the parties aforesaid &c. All which day here came againe the parties aforesaid by their attorneys aforesaid