

March Court 1740 88
Court to be held at dividing Creek in and for the County of . . . the third Tuesday of August then next following and he hath
it and the same day is given to the af. John here also &c.

All which day here came again as well the af. John Wildman as the af. Francis Porter by their Attorneys af.
and whereupon the said Francis prays further Leave thereof to Impartle here untill next Court to be held at dividing
Creek in and for the County of . . . the third Tuesday of November then next following and he hath it and the same day is given
to the af. John here also &c.

All which day here came again as well the aforesaid John Wildman as the aforesaid
Francis Porter by their attorneys aforesaid and whereupon the same Francis Porter as before defends the
force and Injury when &c. and says that he did not assume upon himself in manner and form as the said
John above against him hath complained and of this he puts himself on the Country - and the plaintife
in like manner - Therefore it is Comanded the sheriff that he should cause to come here immediately before
his Lordships Justice Twelve &c. by whom &c. and who neither &c. to recognize &c. because as well &c. and the Jurors of
that same Jury by the Sheriff of the County aforesaid to this Impanelled - and forasmuch as it appears to the Court
here that the aforesaid John Wildman and the aforesaid Francis Porter had agreed to submit and refer their
dispute in this action now here depending between them to the arbitrament and determination of George Douglas
and William Arbuckle of Somerset County Gentlemen, so that they publish their arbitrament in writing, under their hands
immediately to this Court, and further it appears to the Court here that the parties aforesaid had submitted and
agreed that the Justice here should give Judgment upon the same Arbitrament against either of the parties as
as if the same Cause were determined by this Court, and it is further agreed between the parties aforesaid that
that Submission in manner and form aforesaid made, be made a rule of this Court -

Therefore it is Ordered that the Submission aforesaid in manner and form as made, according to
the force form and Effect of the Statute in that part lately made and provided, be Entered and made a rule of this
Court, upon the Motion of the aforesaid John Wildman and Francis Porter.

And afterwards the same Arbitrators at the same Court altho' solemnly required came not nor made any
Arbitrament agreeable to the Submission aforesaid between the parties aforesaid, Thereupon day is given to the
Arbitrators aforesaid by the Court here untill next Court to be held at dividing Creek the third Tuesday of
March then next following for the returning of their arbitrament in the premises as between the parties
af. and the same day is given to the parties af. here &c.

All which day here came again the parties af. and the af. arbitrators returned here their
Arbitrament in the premises aforesaid between the parties af. in form following. pursuant to the Submissi-
on made to us by John Wildman plaintife and Francis Porter def. according to the Statute we do Judge -
and decree that that the said Francis Porter pay or is Debted to the same John the sum of forty five
Shillings Curr. money of Maryland with the Cost of suit given under our hands this 24th day of
March 1740 Geo. Douglas. Will. Arbuckle.

Which being Read and heard and fully understood It is Comanded by the Justices here that the . . .