

that venire facias issue agt them respectively returnable to the
next court

476

Ordered that James Bidley James Jones and Timothy Thore or any
two of them do examine plate and settle the account current of
the estate of John Davis decd and make report thereof to the
court.

The petition of Travers Pate & Hannah his wife against Mary
servant & estate of John Davis decd and Thomas Moose is continued
till the next court

Upon the petition of Robert Jones jr against Thomas Moose
for four pounds two shillings and six pence due by account This day
came the parties and the defendant saith that he cannot gainsay
the allegation of the said petition Whereupon It is Considered
by the court the said Robert Jones jr recover against the said Thomas
Moose the said four pounds two shillings and six pence and his
costs by him in this behalf expended

The petition of Robert Jones jr agt James Birchett is continued
till the next court

Peter Butts
Elizabeth Webb

1741

In Trespas 2. C. F.

By Consent of the parties by their attorneys
It is Ordered that the surveyor of this county in company of an able
jury of the freeholders who are no ways concerned by affinity consan-
guinity or interest nor liable to any other just exceptions be
summoned by the sheriff and sworn before a justice of the peace of
this county do go upon the lands in controversy on the ninth
day of march next if fair if not the next fair day and survey &
lay off the same as each party shall require and as the said jury shall
think fit having regard to all patents deeds & evidence that shall be
produced by either party and if they find the defendant guilty the
said jury are to value the damages and report all matters of fact
and evidence specially to the next court And It is further ordered
that the sheriff do attend the said survey and remove force if any
should be offered and that the surveyor return three fair plats
and report thereof to the clerks office in due time before the day
of trial whereupon the said defendant by his attorney saving
to himself all advantage of exception as well to the plaintiffs
action as to the writ and declaration prays and has leave to
imprison till the next court

Mary Blunt orphan of Henry Blunt decd chose Thomas
Blunt for her guardian whereupon the said Thomas together with
Henry Thomas his security entered into and acknowledged the