

examine and take the depositions of William Urquhart & Thomas Clements to be read at the hearing of this cause giving legal notice of the time and place of executing the same. Whereupon on the motion and costs of the defendants the cause is continued till the next court.

Thomas Day & Elizabeth his wife Pls
Joseph Jones Esq of John Browne Esq Deft } In law

This day came the parties by their attorneys & thereupon came also a jury to wit John Powell John Suter William Turner Benjamin Blunt James Ramsey William Andrews Thomas Todd John Bradley Joseph Lancaster Matthew Brykin John Clayton John Clayton & Benjamin Williams who being duly tried & sworn the truth to speak upon the issue joined upon their oath do say — that the testator did assume upon himself in manner and form as the plaintiffs against him have complained and they do assess the plaintiffs damages by occasion thereof to forty pounds. Whereupon it is considered by the court that the plaintiffs recover against the said defendant the said forty pounds and their costs by them about their suit in this behalf expended To be levied of the proper goods and chattels of the said testator in the hands of the said administrator to be administered if to be had if not then the costs to be levied of the proper goods & chattels of the said administrator and the said defendant in mercy &c

An indenture of feoffment between John Dorton of the one part and Cordell Nozlett of the other part was proved by the oath of Robert Gray the same having been lawfully proved and ordered to be recorded

Person & Nozlett having obtained an attachment against the estate of Nathaniel Howell who hath privately removed himself or so absconds that the ordinary process of law cannot be served upon him for a debt due to the said Person & Nozlett Percy Taylor gent sheriff of this county now made return that he had executed the said attachment on all the estate of Nathaniel in the hands of Thackerell Howell & that he had summoned the said Thackerell to appear as a garnisher. This day came the said Person & Nozlett and the said said appeared and being first sworn deposed that he hath in his hands of the estate of the said Nathaniel the sum of nine pounds five shillings and a half penny. Whereupon on the motion of the said Person & Nozlett of the said Nathaniel not now