maintain his action aforesaid thereof against her the said Margery Fowke and that she to the plea aforesaid in manner and form aforesaid pleaded hath no necessity nor is she by the law of land obliged in any manner to answer and this the said Margery Fowke is ready to verify; Wherefore for want of a sufficient replication in this behalf the same Margery Fowke prays judgment and that the said Clement Kennedy junior may be precluded from his action aforesaid thereof against her had &c. and the said Clement Kennedy junior says that the plea aforesaid by him the said Clement Kennedy junior in manner and form aforesaid above by replying pleaded and the matters therein contained are good and sufficient in law to maintain the action of him the said Clement Kennedy junior aforesaid thereof against the said Margery Fowke which said plea and the matters in the same contained he the said Clement Kennedy junior is ready to verify and prove as the Court &c and he therefore prays judgment &c. Whereupon all and singular the premises being by the Court here seen heard and fully understood and mature deliberation thereupon had for that it appears to the court here that the said plea of the said Clement Kennedy junior by way of reply to the said plea of the said Margery Fowke and the matters therein contained are in no wise sufficient in law for the said Clement Kennedy junior to have and maintain the action aforesaid against the said Margery Fowke as the said Margery Fowke hath above alledged. Therefore it is considered by the court here that the said Clement Kennedy junior further reply to the plea aforesaid of the said Margery Fowke and the said Clement Kennedy junior saith that the said Margery Fowke for the reasons before alleged ought not to avow the taking of the goods &c aforesaid in the said place where &c just because he saith that the said sum of eight hundred dollars of the rent aforesaid at the time when &c was not in arrear and unpaid to the said Margery Fowke nor was any penny thereof at the said time when &c in arrear to the said Margery Fowke as the said Margery Fowke in her avowry aforesaid hath above alleged and this he prays may be enquired of by the Country &c and the said Margery Fowke likewise &c whereupon for trying the issue aforesaid command is

given to the sheriff of the county aforesaid that he cause to come before the Court here immediately twelve &c by whom &c and who neither &c to recognize &c because as well &c and thereupon for trying the issue aforesaid it is ordered by the Court here that twenty persons from the pannel of petit jurors be drawn by ballot according to the act of assembly in such case made and provided; and thereupon the twenty persons being so drawn by ballot and written upon two lists one of which said lists is delivered to the counsel for the respective parties and the counsel for each of the said parties having stricken out four persons from the said lists thereupon the remaining twelve persons being called come to wit William McPherson, Henry Gill, Thomas Marshall, Edward J. Heard, Nicholas Miller, James Boarman Henry McPherson of Alexander, Gerard Robertson, John P. Barnham, Horatio Blagett, Francis W. Hawkins and William Hamilton who being empannelled and sworn to say the truth in the premises upon their oath do say that the said Margery Fowke in the declaration of the said Clement Kennedy junior mentioned did not of her own wrong but for such cause by her the said Margery Fowke in her avowry within written alleged in the within mentioned place in which &c take the said goods and chattels within contained of him the said Clement Kennedy junior in the declaration of him the said Clement Kennedy junior within specified and them detain until &c. as she lawfully might as the said Margery Fowke hath within by pleading alleged and they assess the damages of her the said Margery Fowke to the sum of twenty eight pounds and three pence half penny current money; Therefore it is considered by the court here that the said Clement Kennedy junior take nothing by his writ aforesaid but that he be in mercy &c and that the said Margery go thereof without day &c and it is also considered by the Court here that the said Margery Fowke recover against the said Clement Kennedy Junior as well the said sum of twenty eight pounds and three pence half penny current money by the jurors in form aforesaid assessed with interest thereon from the thirtieth day of august eighteen hundred and ten as the sum of seventeen dollars ninety three and one third cents by the Court here unto her the said Margery Fowke on her assent adjudged for her costs and charges by her about her defence in this behalf laid out and expended and that she have thereof her execution &c.