apprehension and in his presence and at his request they subscribed the same as evidences & they believe the other subscribing evidence saw and heard the same as they did. Sworn before Pet Dent Dy Comt. of P. Geo County.

In Testimony that the aforegoing is a true copy from the Records of the late Prerogative Office, I have hereunto set my hand and affixed the seal of Office this 2d day of June Anno domini 1788.

(Seal)

Jno Gassaway Reg. Will A A county

And that the said John Turner last mentioned afterwards in the year seventeen hundred and thirty nine died seisid of the said moiety of the said tract of land without altering or revoking his said will, after whose death Philip Turner the devisee thereof in the same will mentioned entered and was seisid and possessed thereof and being so seisid, sold the said moiety of the tract of land aforesaid in the said will mentioned and delivered possession thereof to the Defendants in this cause who have ever since continued in the possession thereof. — And the Jurors aforesaid do further find that the Lessor of the Plaintiff is the Heir at Law of the last mentioned John Turner and they find the Lease entry & ouster in the Declaration mentioned, and that the said Defendants are guilty of the Trespass and Ejectment aforesaid in the moiety or halfpart of the said tract of land called Ralpho in the will last aforesaid mentioned But if upon the whole matter aforesaid the Law be with the Defendants then the said Jurors find that the said Defendants are not, and that each of them is not Guilty of the Trespass and Ejectment aforesaid in the premises in the Declaration aforesaid above mentioned or any part thereof and pray the advice of the Court here and so forth.

D. Geddis. Foreman.

M. S. Stone for pltff.
W. Cooke atty for Defts
G. Duvall.

And because the Court here are not yet advised to give their Judgment of and upon the premises, day therefore is given to the parties aforesaid in the state as now before the Court here, until the second tuesday in October next, to hear their Judgment thereof:

At which said second tuesday in October to wit, the fourteenth day of the same month Anno domini one thousand seven hundred and eighty eight, come again into the General Court here, as well the said Titus Right lessee of the said John Turner by his Attorney aforesaid, as the said Richard Wheeler Richard Higgins and John Belmear by their attorney aforesaid; And because the Court here will advise themselves of and upon the premises before they give Judgment thereon, day is further given to the parties aforesaid until the second tuesday in May next, to hear their Judgment thereon, because the Court here thereof not yet &c.

And now here on this day to wit, the said second tuesday in May being the twelfth day of the same month Anno domini one thousand seven hundred

hundred and eighty nine, come again into the General Court here, as well the said Titus Right lessee of the said John Turner by his attorney aforesaid, as the said Richard Wheeler, Richard Higgins and John Belmear by their attorney aforesaid. Whereupon all and singular the premises being seen, and by the Court here more fully understood, and mature deliberation being thereon had, because it seems to the Court here that the Law arising on the verdict aforesaid is with the Defendants. Therefore it is considered by the Judges of the Court here that the said Titus Right lessee of the said John Turner take nothing by his writ aforesaid, but that he and his pledges of prosecution to wit, John Doe and Richard Roe be in mercy &c. and that the said Richard Wheeler, Richard Higgins and John Belmear go thereof without day &c. And it is considered that the said Richard Wheeler, Richard Higgins and John Belmear recover against the said Titus Right lessee of the said John Turner the quantity of six hundred and seventy two and four fifths pounds tobacco by the Court here unto them on their assent adjudged for their costs and charges by them about their defence in this behalf laid out and expended; and that the said Richard Wheeler, Richard Higgins and John Belmear have thereof their execution &c.

Test

John Gwinn Clk.

Ann Tilley against James Johnson.	Replevin, Struck off by consent. Test John Gwinn Clk.
Mary Thomas against Luther Martin.	Debt. Bill and Bond filed the 15th November 1787. plea payment. Replication non payment and issue pleadings withdrawn.

Therefore it is considered by the Judges of the Court here, that the said Mary Thomas recover against the said Luther Martin as well the sum of two hundred and twenty pounds current money her debt confessed as the quantity of five hundred and fifty three and one fifth pounds tobacco by the Court here unto her on her assent adjudged as well for her damages which she sustained by occasion of the detention of that debt as for her costs and charges by her about her suit in this behalf laid out and expended; and the said Defendant in mercy &c.

Memorandum, Judgment was rendered in this cause on the 25th day of May 1789. for £220. current money, penalty and costs; to be released on payment of £110. current money, principal with interest thereon and costs of suit. Stay Execution till next Court.

Test

John Gwinn Clk.