Thereupon further process of and upon the premises aforesaid between the parties aforesaid, with the consent of the said parties by their attorneys aforesaid and by order of the Court here thereon is further continued until the second tuesday of October next, with leave to amend and add to the said plots and certificates if necessary &c.

At which said second tuesday of October being the ninth day of the same month in the year of our Lord one thousand seven hundred and eighty seven, comes again into the General Court here as well the said Jacob Goodright Lessee as aforesaid as the said Jesse Burch and Thomas Burch by Thomas Jennings their attorney; and the Sheriff and surveyor of the County aforesaid to whom the said plots and certificates were delivered for the purpose of amending thereto if necessary return the same to the Court here. And this cause standing ready for trial, the said Jesse Burch and Thomas Burch by their attorney aforesaid, suggest to the Court here, that they cannot safely proceed at this Term to the trial of this cause for want of material and competent witness out of the State, and pray the court commission for the examination of the said witnesses &c and that a further day may be given for the trial thereof; And thereupon the said Jesse Burch and Thomas Burch file in Court here a certain affidavit to prove their said suggestion ~~the following affidavit to wit, Affidavit to wit~~, which being seen by the Court here and for that the suggestion of the said Jesse Burch and Thomas Burch being sufficiently proved to the Court here according to the Act of Assembly in such case made and provided the same is granted them; whereupon the said Jacob Goodright Lessee as aforesaid and the said Jesse Burch and Thomas Burch by their said attornies pray the same commission to be directed to William Renick, William Page, Richard Page and the Clerk of Greenbrier County in the common wealth of Virginia and that they or any three or two of them examine &c. returnable to the Court here &c. with all convenient speed &c. and whereupon the said commission accordingly issues in the words and of the tenor following, to wit.

The State of Maryland Sct. To William Renick, William Page, Richard Matthews, and the Clerk of Greenbrier County in the State of Virginia Esquires Greeting. Know ye that we have appointed you or any two or more of you to be our commissioners to examine evidences in a cause depending in our General Court between Ann, Elizabeth Philippa and Catherine Lessee Plaintiffs and Jesse Burch and Mary Burch Defendants we therefore require you or any two or more of you that at such time and place as to you or any two or more of you shall seem convenient you cause to come before you

or any two or more of you all such evidences as shall be named or produced to you or any two or more of you by either the plaintiffs or Defendants and that you or any two or more of you examine them upon their Corporal Oaths to be by you or any two or more of you administered on the Holy Evangels of Almighty God touching their knowledge or remembrance of any thing that may relate to the Cause aforesaid and that you or any two or more of you cause notice to be given to the parties or their attornies of the Execution of this our commission before you execute the same and having reduced the Depositions of the witnesses so taken by you or any two or more of you into writing you send the same with this our commission closed under your or any two or more of your hands and seals to us in our said General Court with all convenient speed. Witness the Honorable Robert Hanson Harrison Esquire Chief Judge of our said General Court the 2nd day of December Anno Domini 1780.

Issued 24th March 1787. J. Thomas
J. Stone Thomas B. Hodgson Cl.

Thereupon further process of and upon the premises aforesaid between the parties aforesaid, and by order of the Court here thereon is further continued until the second tuesday of May next, with leave to amend and add to the said plots and certificates &c.

At which said second tuesday of May being the thirteenth day of the same month in the year of our Lord one thousand seven hundred and eighty eight comes again into the General Court here as well the said Jacob Goodright Lessee as aforesaid by his Attornies aforesaid as the said Jesse Burch and Mary Burch by their Attorney aforesaid; and this cause standing ready for trial the said Jesse Burch and Thomas Burch by their attorney aforesaid, suggest to the Court here, that they cannot safely proceed at this Term to the trial of this Cause for want of material and competent witness out of the State and pray a further day may be given for the trial thereof, and also that commission may be renewed to examine witnesses in this cause and that the Depositions taken under and in virtue of ~~that~~ such commission, and therewith returned may be read in evidence at the trial of the issue aforesaid; whereupon the said Jacob Goodright Lessee as aforesaid and the said Jesse Burch and Thomas Burch by their said Attornies pray the same commission be directed to John Parks, Reuben Paine, Robert Williams and Samuel Harris Gentlemen of Sylvania County in the commonwealth of Virginia, and that they or any three or two of them, examine &c. returnable to the Court here with all convenient speed &c and thereupon the said commission accordingly issues ~~in the words and of the tenor following, to wit, Commission not released~~; and the said Sheriff and surveyor of the County aforesaid to whom the said plots and certificates were delivered for the