At which day to wit, the Monday before the second tuesday in September aforesaid come again the parties aforesaid by their attorneys aforesaid and this cause is by the parties aforesaid with leave of the Court here continued with leave to amend and add to survey under old warrant untill our next County Court to be holden at Charles Town on the Monday before the first Tuesday in April next –

At which day to wit, the Monday before the first tuesday in April aforesaid come again the parties aforesaid by their attornies aforesaid and this cause is by the parties aforesaid with leave of the Court here continued with further leave to amend and add to survey under old warrant untill our next County Court to be holden at Charles Town on the Monday before the second Tuesday in June next.

At which day to wit, the Monday before the second Tuesday in June aforesaid come again the parties aforesaid by their attornies aforesaid and this cause is by the parties aforesaid with leave of the Court here continued with further leave to amend and add to survey under old warrant untill our next County Court to be holden at Charles Town on the Monday before the second Tuesday in September next –

At which day to wit, the Monday before the second Tuesday in September aforesaid come again the parties aforesaid by their attorneys aforesaid and this cause is by the parties aforesaid with leave of the Court here continued with further leave to compleat survey under old warrant untill our next County Court to be holden at Charles Town on the Monday before the first tuesday in April next –

At which day to wit, the Monday before the first Tuesday in April aforesaid come again the parties aforesaid by their attorneys aforesaid and this cause is by the parties aforesaid with leave of the Court here continued with further leave to compleat survey under old warrant untill our next County Court to be holden at Charles Town on the Monday before the second Tuesday in June next –

At which day to wit, the Monday before the second tuesday in June aforesaid come again the parties aforesaid by their attorneys aforesaid and this cause is by the Court here with consent of the parties continued untill our next Court to be holden at Charles Town on the Monday before the second Tuesday in September next –

And now here at this day to wit, the Monday before the second Tuesday in September aforesaid come again the parties aforesaid by their attornies aforesaid and the said James

Middleton

Middleton by his said attorney as before defends the force and injury when &c and saith that the said Hezekiah his action aforesaid against him the said James to have or maintain ought not because he saith that he is not guilty in manner and form as the said Hezekiah above against him complains and this the said James is ready to verify wherefore he prays Judgment if the said Hezekiah his action aforesaid against him the said James to have and maintain ought and soforth. And the said James with leave of the Court here and according to the Statute in such case made and provided comes and by his attorney aforesaid further defends the force and injury when and soforth and saith that the said Hezekiah his action aforesaid against him the said James to have or maintain ought not because he saith that the original writ of the said Hezekiah in this cause was issued on the second day of August in the year seventeen hundred and eighty and not before and that the cause of action upon which the said Hezekiah against the said James above hath declared did not accrue within three years next before the issuing the original writ aforesaid and this the said James is ready to verify wherefore he prays Judgment if the said Hezekiah his action aforesaid to have or maintain ought and Soforth –

And the said Hezekiah by his attorney aforesaid as to the first plea of the said James above pleaded saith that any thing therein contained to preclude him the said Hezekiah from his action aforesaid ought not because he saith that the said James is guilty in manner and form as he the said Hezekiah above in declaring complains and this he is ready to verify and Soforth –

And the said Hezekiah by his said attorney as to the second plea of the said James above pleaded saith that any thing therein contained to preclude him the said Hezekiah from his action aforesaid ought not because he saith that the original writ in this cause was issued within three years after the said cause of action accrued to him the said Hezekiah and this he is ready to verify and Soforth And of this he puts himself upon the Country and the said James also –

Therefore it is commanded the Sheriff that he cause to come here immediately twelve &c who neither &c to recognizance &c because as well &c and afterwards to wit, the same Monday before the second tuesday in September aforesaid the Surors aforesaid by the Sheriff aforesaid thereto impannelled being called came that is to say William McPherson Junior, Samuel Hanson McPherson, Robert Rogers, William Shaw, Samuel Tubman, Hezekiah Garner, Lawson Luckett, Benjamin Benson, Leonard Wood, Josias Smoot, Benjamin Davis Junior, and George Reich who to speak the truth in the premises being duly elected tryed and sworn. and the said Hezekiah by his attorney aforesaid in the course of the

trial