Plaintiff and Defendant by their attorneys aforesaid and the Trial of this cause is by order of the Court here and for special reasons to the Court here shown and by with the consent of parties continued until next Court-

At which said next Court to wit, the third Monday in August being the twentieth day of the same month Anno Domini seventeen hundred and ninety two comes again as well the said Hezekiah Reeves by his attorney aforesaid as the said Ignatius Middleton acting executor of the said James Middleton by William Brain and Walter Dorsey his attorneys and it is agreed by the parties aforesaid Plaintiff and Defendant respectively to release all errors that may appear for want of the appearance of the proper parties to this cause, Therefore it is commanded the Sheriff to wit James Simms Esquire that he cause to come here immediately twelve Qca. who neither Qca. to recognize Qca. because aswell Qca. and afterwards to wit, on the same third Monday in August aforesaid the Sheriff aforesaid makes return to the Court here that he has here ready twelve Qca. as he the said Sheriff was commanded to wit Benjamin Douglass, Samuel Hawkins, Archibald Dobbin, Ignatius Matthew, John Francis Gardner, Robert D. Simmes, John McPherson, Henry Speake, Samuel Chapman, Jeremiah Gibbons, John Lyons and Samuel Hanson of William who being duly elected tried and sworn to say the truth in the premises- Whereupon Samuel Hanson of William one of the Jurors aforesaid being taken ill in the trial of this cause is withdrawn by consent of parties Plaintiff and Defendant- Therefore it is again commanded the Sheriff to wit James Simms Esquire that he cause to come here immediately twelve Qca. who neither Qca. to recognize Qca., because as well Qca. and afterwards to wit on the same third Monday in August aforesaid the Sheriff aforesaid makes return to the Court here that he has here ready twelve Qca. as he the said Sheriff was commanded to wit, Benjamin Douglass, Samuel Hawkins, Archibald Dobbin Ignatius Matthews, John Francis Gardiner, Robert D. Simmes, John McPherson, Henry Speake, Samuel Chapman, Jeremiah Gibbons, John Lyons and Francis McKey Ware who being duly elected tried and sworn to say the truth in the premises upon their oath do say that the said James Middleton in his lifetime was not guilty of the Trespass aforesaid in manner and form as the said Hezekiah Reeves above in declaring suppose- Whereupon the said Ignatius Middleton executor as aforesaid by his attorneys aforesaid prays Judgment of and upon the verdict of the Jurors aforesaid in form aforesaid found for him to be given- Therefore it is considered by the Court here that the said Hezekiah Reeves take nothing by his writ aforesaid but be in

mercy

mercy for his false clamour and that the names of his pledges be sought for Qca- and that the said Ignatius Middleton go thereof without day Qca- And it is also considered that the said Ignatius Middleton acting executor of the aforesaid James Middleton do recover against the said Hezekiah Reeves all his legal costs and charges by him about his defence in this behalf laid out and expended and that the said Hezekiah Reeves be in mercy Qca-

Memorandum In the trial of this cause Michael Jenifer Stone Esquire Chief Justice having been former Council for the Defendant with drew- and before the Jurors aforesaid with drew from the Bar the parties aforesaid Plaintiff and Defendant filed in Court here the following Bills of Exceptions and deposition to wit.

Hezekiah Reeves
vs
Ignatius Middleton exor of James Middleton

In the Trial of this cause the defendants Council offered in evidence by Matthew Moore a Witness sworn in this cause to the Jury the declarations of John Vincent who is now dead to prove the termination of the Jourdan line at little (a) located upon the plat returned in this cause which declarations were made as follows, The said John Vincent Pointed to a tree at a small distance and said that is the Corner Tree of the back line of Jourdan Tract then walked up to the same Tree put his hand upon it, and said the back line of Jourdan ended here on a survey made in a suit between John Smith and John Moore no other evidence being offered of said suit which declarations of the said John Vincent offered as aforesaid the Court refused to let go to the Jury, Because the Witness produced, said that he derived his information respecting the termination of the said line from the authority of the said Vincent who told the Witness that his information came from the Survey in the suit of Smith against Moore and because the annexed Records, warrant of resurvey and Platt produced by the Plaintiffs Council, induced the Court to believe that better evidence might have been offered by transferring the location in the case of Smith against Moore upon the present platt But the Court directed the Jury that they might presume if in their opinion Matthew Moores evidence would Justify it, that vincent received his information from some other Source than what he derived concerning the Termination of the line in the suit between Smith and Moore To which opinion of the Court the Council for the defendant prays leave to except and that the Court to this his Bill of exceptions would affix their seals which is accordingly done- G. Dent (seal)

Henry H. Chapman (seal)

Hezekiah Reeves
vs
Ignatius Middleton Exor of James Middleton

In the Trial of this cause the Council for the Defendant offered to prove by the Testimony of