in September then next; and it was said to the said William Lebompte that if he should not answer to the Declaration aforesaid, by the time aforesaid, Judgment should be rendered against him by default. The same day was given to the said Joseph Lebompte then, &c. At which said second Tuesday of September, seventeen hundred and eighty seven, came again the parties aforesaid, by their Attornies aforesaid: And the said ~~Lam~~ William Lebompte by his Attorney aforesaid defended the force and injury when, &c: and saith that he was in no wise guilty of the premises in the Declaration aforesaid mentioned, in such manner and form as the said Joseph Lebompte above against him hath complained: And of this he put himself upon the Country &c: And the said Joseph Lebompte Executor as aforesaid in the like manner, &c.

And the said William Lebompte by his Attorney, comes and defends the force and injury when, &c. and saith that the aforesaid Joseph Lebompte his Action aft thereof against him to have and maintain ought not, because he saith that the Original writ of him the said Joseph was issued on the day of and not before, and that the Cause of Action upon which the aft Joseph against the said William Lebompte above hath declared did not accrue within six years next before the issuing forth the original writ aforesaid; and this he is ready to verify, wherefore he prays Judgment if the said Joseph Lebompte his Action aforesaid thereof against him to have or maintain ought.

And the said Joseph Lebompte saith that he by any thing

by the aforesaid William Lebompte pleaded from having his Action aforesaid, against him, to be precluded ought not, because he saith that he the said Joseph Lebompte his writ aforesaid against him the said William did implitrate on the day of & that the Cause, &c. did first accrue within six years next, before the day of issuing the writ aforesaid, ~~to wit, aft~~ the County &c; and this he prays may be enquired of by the Country, &c: And the said William Lebompte in like manner, &c: And this Cause standing ready for trial; thereupon further process of and upon the premises aforesaid, between the parties aforesaid by consent of the said parties and their Attornies aforesaid, and by order of the Court here thereon, was further continued until the second Tuesday in April then next following.

At which said second Tuesday of April, seventeen hundred and eighty eight, came again the parties aforesaid by their Attornies aforesaid: Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties and their Attornies aft and by order of the Court here thereon was further continued until the second Tuesday in September then next following.

At which said second Tuesday of September, seventeen hundred and eighty eight, came again the parties aforesaid by their Attornies aforesaid: Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties and their Attornies aft and by order of the Court here thereon, was further continued until the second Tuesday in April then next following.

And now here at this day, to wit, the second Tuesday of April, seventeen hundred and eighty nine, come the same Joseph Lebompte by his Attorney aft; and the said Joseph Lebompte by his said Attorney suggested to the Court here, that William Lebompte was dead