year seventeen hundred and eighty eight, Came here again the parties aforesaid by their attorneys aforesaid, and this Cause standing ready for trial; further process of law upon the premises aforesaid between the parties aforesaid by Consent of the said parties and their attorneys aforesaid was by order of the Court here thereon was Continued until the second Tuesday of September then next following. At which said second Tuesday in September, twelve, in the year seventeen hundred and eighty eight, Came here again the parties aforesaid by their attorneys aforesaid and the said Henry Dashiell by his attorney aforesaid, offered his plea in answer to the Declaration aforesaid against him the said George Dashiell, in manner and form following, to wit, and the aforesaid Henry Dashiell by Luther Martin his attorney aforesaid Comes and defends the force and injury when and wherefore he prays a hearing of the writing Obligatory aforesaid and of the Condition of the said writing Obligatory and the said writing Obligatory and the Condition thereof are read to him in these words to wit, — which being read and heard the aforesaid Henry saith that the said George his action aforesaid against her thereof to have or maintain ought not because he saith that the said Sarah Dashiell in his testatrix did yearly and every year during her the said Sarah Continuing in the said Office pay unto the said George Dashiell one moiety or half the nett profit of the said Office to wit, at the County aforesaid, and this he is ready to verify and depose; whereupon he prays Judgment if the said George his action aforesaid thereof against her to have and maintain ought &c. and the aforesaid Henry according to the form of the Statute in such Cases made and provided, with the leave of the Court further Comes and defends the force and injury when &c. and prays a hearing of the writing Obligatory and of the Condition of the said writing Obligatory and the said writing Obligatory and Condition thereof are read to him in the words following to wit, which being read and heard the said Henry saith that the said George his action aforesaid thereof against him to have and maintain ought not because he saith that the said Sarah in her life time did well and truly perform do and fulfill all and every matter and thing in the said Condition mentioned by him the said Sarah to be performed done and fulfilled to wit, at the County aforesaid, and this the said Henry is ready to verify &c. whereupon he prays Judgment if the said George his action thereof against her to have and maintain ought &c. and the same Henry by leave of the Court according to the form of the Statute in that Case made and provided further Comes and defends the force and injury when &c. and prays a hearing of the writing Obligatory aforesaid and of the Condition of the said writing Obligatory and the said writing Obligatory and the Condition thereof are read to him in the words following to wit, — which being read and heard the said Henry saith that the said George his action aforesaid thereof against her to have and maintain ought not because he saith that the said Sarah did not make or obtain any nett profits of any manor of the said Office in any year during the Continuance of the said Sarah in the said Office, and this the said Henry is ready to aver &c. whereupon he prays Judgment if the said George his action aforesaid thereof against her to have or maintain ought &c. Further to this the said &c. thereupon further process of law upon the premises aforesaid between the parties &c. by Consent of the said parties and their attorneys 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 in April to wit, in the year seventeen hundred and eighty nine Came here again the parties aforesaid, by their attorneys aforesaid, whereupon by Consent of the said parties and their attorneys aforesaid, it was ordered by the Court here that the matter in difference between the said parties in this Cause, be referred to the Arbitrament and final determination of John Stewart, Alex. Gale, John Gundy, Henry Waggaman, and Thomas Jones, and if they should disagree they were empowered to name a third person. And it was also ordered that the Judgment of the Court should be rendered on the award of them, or any of them, when the same should be returned, according to the act of assembly in such Case made and provided, and thereupon further process of law upon the premises aforesaid between the parties aforesaid, by Consent of the said parties and their attorneys aforesaid was Continued under reference until the second Tuesday in September then next following. At which said second Tuesday in September to wit, in the year seventeen hundred and eighty nine, Came here again the parties aforesaid by their attorneys aforesaid, and the said John Stewart, Alex. Gale, John Gundy, Henry Waggaman, and Thomas Jones according to the power granted them by the aforesaid rule of Reference, Come here into Court, and make return of the following award to wit,

George Dashiell
vs.
Henry Dashiell Exr. of Sarah Dashiell ----- } action of Debt in the General Court. This action being by rule of the Honorable General Court, delivered to us the subscribers, and we having heard and duly considered the proofs & allegations of the parties plaintiff and defendant, do award and determine that the said plaintiff take nothing by his said action, and that the same be discontinued and also that the said Defendant recover against the said plaintiff all her legal Costs of suit. Witness our hands and seals this 27th day of August 1789.

John Stewart. (Seal) Alex. Gale (Seal) John Gundy (Seal) Wm. Waggaman (Seal) Thomas Jones (Seal)

Thereupon further process of law upon the premises aforesaid between the parties aforesaid, by Consent of the said parties and their attorneys aforesaid was Continued under reference until the second Tuesday of April then next following. At which said second Tuesday in April term in the year seventeen hundred and ninety Came here again the parties aforesaid by their attorneys aforesaid, thereupon further process of law upon the premises aforesaid between the parties aforesaid, by Consent of the said parties and their attorneys aforesaid was Continued under Reference until the second Tuesday in September then next following. At which said second Tuesday in September term in the year seventeen hundred and ninety Came here again the parties aforesaid by their attorneys aforesaid, Thereupon further process of law upon the premises aforesaid between the parties aforesaid, by Consent of the said parties and their attorneys aforesaid was Continued under Reference until the second Tuesday of April then next following. And now here on this day to wit, the second Tuesday of April in the year seventeen hundred and ninety one Come here again the parties aforesaid by their attorneys aforesaid, Therefore it is considered by the Court here, that the aforesaid George Dashiell take nothing by his writ and Declaration aforesaid, but that he the said George Dashiell, and his pledges of prosecuting be in mercy for his false Clamour, and that the aforesaid Henry Dashiell goth thereof without day &c. and it is further considered by the same Court that the aforesaid Henry Dashiell do recover against the aforesaid George Dashiell, the Quantity of nine hundred and seventeen and two fifths of a pound of Tobacco for his Cost and Charges by him about his said defence in this behalf sustained, as to the same Henry Dashiell by the Court now here adjudged according to the award aforesaid, and the form of the Statute in such Case made and provided, and that the said Henry