

November Court 1762 186

At which day here as well the of Alexander Stuart as the of John Records by their Attorneys of and hereupon the said John prays further leave thereof to Imparle here untill next court to be had at princeps Ann Town the third tuesday of August then next following and he hath it and the same day is given to the of Alexander here also &c.

At which day here came as well the of Alex- ander Stuart as the of John Records by their Attorneys of. And hereupon the said John Records as be fore defends the force and injury when &c and says he did not assume upon himself in manner and form as the said Alexander above against him hath complained and of this he puts himself upon the coun try and so forth and the plaintiff Likewise

Thereupon it is commanded the sheriff of som- erset County that he should cause to come before the justices of his lordships County court of somerset at the next court to be held at princeps Ann Town the third tuesday of Nov<sup>r</sup> then next following Twelve & by whom &c and who neither &c to Recognise & because as well &c and the same day is given to the of parties here &c.

At which day here came as well the of Alexander Stuart as the of John Records by their Attorneys of. And the Sheriff Lewis Ghoram Wilton now here Returned the of writ of venire facias and the Names of the Jurors in all things Lawed and Decuted and the Jurors of that Jury these of Jurymen being called some of them with William Fleming, William Vennable, John Collet, Southy, Whittington, William Fountain, Isaac Filmer, John Anderson and Joseph King came and were sworn upon that Jury and because the Precede of the Jurors of that same Jury did not appear therefore others of the by Standers by the Sheriff of the County of hereunto elected and at the Request of the of Alexander Stuart and by the Command of the of Justices are newly put on whose names to the panel within written are filed According to the form of the Statute in such Case provided which said Jurors so newly put on with William Shwin, Richard Hall Radell Long and Thomas Marshall being called likewise came who to say the truth of the premises of together with the other Jurors of before Jurymen and sworn being elected byed and sworn upon their Oath say that the of John Records did assume upon himself in manner and form as the of Alex<sup>r</sup> above against him hath complained and asseped the Damages of the same Alexander by Omission of the non-performance of the Promise and Assumption of beyond his Costs and Charges by him about his Suit in that part - Appand to Thirty six Pounds Eight Shillings and Two pence halfpenny and Money of Maryland and for there Costs and Charges One pound of Tobacco -

Therefore it is considered that the of Alexander Stuart Prayers Against the of John Records his Damages of by the Jurors of in form of asseped as also Bonds of Tobacco for his Costs and Charges of to the same Alexander by the Court here of his Assent of Increase of Judged which certain Damages in the whole Amount to thirty six pound eight Shillings and Two pence halfpenny and Money of Maryland and Bonds of Tobacco and the of John in Money &c -

of John Talbot

Command was given unto the sheriff of somerset County that he should take Richard Nicholson late of somerset County planter if he should be found in his Bailiwick and should safe keep so that he might have his body before the justices of his lordships County court of som- erset to be held at princeps Ann Town the third tuesday of August Anno Domini One thousand seven hun- dred and sixty one to answer unto John Talbot of a plea of trespass upon the case and so forth and the same day is given to the of John here &c. At which day here came the of John Talbot by George Mayward his Attorney and the sheriff to with John Dennis now here returned that he had taken the of Richard Nicholson whose body here at this day he had ready to answer the of John Talbot of the