

November Court 1762 and no 130

together with their costs and charges to them to be adjudged &c. Therefore by consent of the parties a^d it is considered that the a^d Miller Eden recover against the a^d Stephen and their damages a^d to the a^d six pound twelve shillings and ten pence farthing two Money by the a^d Stephen sent in form whas^d acknowledged as also pounds of Tobacco for his costs and charges a^d to the same Miller Eden at their request by the court now here of the a^d parts of the parties a^d adjudged which contain Damages in the whole amount to six pounds twelve shillings and ten pence farthing two Money and pounds of tobacco and the a^d Stephen in Money &c.

Command was given unto the sheriff of Somerset county that he should take Isaac Roads late of Somerset county planter if he should be found in his Bailwick and him should safe keep so that he might have his body before the Justice of his Lordships county court of Somerset to be hold at princeps Ann Town the third tuesday of June Anno Domini one thousand seven hundred and sixty two to answer unto Alexander Stuart of a plea of trespass upon the case and so forth and the same Day is given to the a^d Alexander here also &c. And hereupon the a^d Alexander Stuart com

plaintiff to wit Isaac Roads late of Somerset county planter was attached to answer unto Alexander Stuart of a plea of trespass upon the case so forth. And whereupon the said Alexander by Josiah Pollock his Attorney complains that whereas the said Isaac on the fourteenth day of July Anno Domini one thousand seven hundred and sixty one at the county of Wiltshire he contain note in writing called a promissory note with his proper name and hand thereto subscribed bearing date the day and year a^d at the county a^d and that note to the said Alexander then and there did deliver by which said note the said Isaac promised to pay to the said Alexander Stuart or his Assigns the full and just sum of six pounds six shillings five pence three farthings current by the twenty fifth day of December for Value Rec^d by means whereof and by force of the statute in such the said Note mentioned according to the tenor of that note and so thereof chargeable being the said Isaac on comide the said sum in the said Note mentioned according to the tenor of that note Never the less the said Isaac his promise a^d in form a^d made not regarding the said sum in the said note mentioned according to the tenor of that note to the said Alexander hath not paid but that to do hitherto hath denied and still doth deny all the thereto afterwards to wit the day and year last a^d at the county a^d and often since that time by the said Alexander Required to the damage of the said Alexander fifteen pounds current money of Maryland and thereof he brings suit &c. Doe & Proe pledges of prosop

A copy of the foregoing Declaration was made & sent to be served on the deft in order for speedy trial At which day here came the a^d Alexander Stuart by his Attorney a^d and the sheriff to wit Ephraim Wilson the ruff of the county a^d now here returned that he had taken the a^d Isaac whose body here at this day he had ready to answer the a^d Alexander Stuart of the a^d plea as to him it was commanded &c. Whereupon the said Isaac Roads at the prayer of the a^d Alexander Stuart is adjudged to give special Bail to the action a^d Thereupon a certain Matthew Dorman present here in court in his proper person undertook for the said Isaac Roads and a bound upon himself that if it should happen that judgement in the plea a^d should be rendered for the said Alexander against the a^d Isaac or that the a^d Isaac should be therein convicted that then he the said Isaac should pay and satisfy unto the a^d Alexander the judgement of the court thereupon or render his body in Execution of such judgement to the prison of the sheriff of Somerset county in satisfaction thereof or that he the said Matthew Dorman will do the same for him &c. And the a^d Isaac Roads By William Hayward his Attorney comes and defends the force and injury when &c. and prays leave thereof to Imparle here until next court to be hold at princeps Ann Town the third tuesday of August then next following and he hath it and the same day is given to the a^d Alexander here also &c. At which day here came as well the a^d Alexander Stuart as the a^d Isaac Roads by their Attorneys a^d and hereupon the said Isaac prays further leave thereof to Imparle here until next court to be held at princeps Ann Town the third tuesday of November then next following and he hath it and the same day is given to the a^d Alexander here also &c.

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