

November Court ..... 1767 ..... 189

At which day here came as well the af. Alexander Stuart as the af. Isaac Roads by their attorneys and here upon the said Isaac as before defends the force and Injury whom he and says that he cannot deny the action af. of the af. Alexander Stuart nor but that he did assume upon himself in manner and form as the af. Alexander a- bove against him hath complained and as to the Damage of the same Alexander by him by occasion of the premif- ses in that part sustained the same Isaac Roads saith and acknowledgeth that the af. Alexander hath sustai- ned Damages by occasion of the premises beyond his costs & charges by him about his suite in that part appoy- ned to six pounds six shillings and five pence tur Money, not more and because the af. Alexander Stuart Denys not this but the same Allegation grants to be true pray Judgment for those Damages above acknowledged together with his costs and charges to him to be adjudged. Therefore by consent of the parties af. it is considered that the af. Alexander Stuart recover against the af. Roads his Damages af. to the af. six pounds six shillings and five pence three farthings by the af. Isaac in form af. acknowledged as also 1/2 lb of Tobacco for his costs and charges af. to the same Alexander Stuart at his request by the court now here of the assents of the parties af. adjudged which contain Damages in the whole amount to six pounds six shillings and five pence three farthings tur Money and pounds of Tobacco and the af. Isaac in Mercy

Mr. Thomas Douglas } Command was given unto the sheriff of Somerset county that he should take Nathaniel Whitaker  
Dor. Nathaniel Whitaker } late of Somerset county Clerk if he should be found in his Bailiwick and him should safe keep so that he might have his Body before the Justices of his Lordships county court of Somerset to be held at princeps Ann Town the third Tuesday of August Anno Dom. one thousand seven hundred and sixty two to answer unto Thomas Douglas of a plea of trespass upon the case and so forth and the same day is given to the af. Thomas Here he came the af. Thomas Douglas by William Hayward his Attorney and the sheriff to wit Ephraim Wilson now here returned that he had taken the af. Nathaniel Whitaker whose body here at this day he had ready to answer the af. Thomas Douglas of the af. plea unto him it was commanded. And hereupon the af. Nathaniel Whitaker puts in his place Littleton Denning Samuel Wilson Gent. Attorneys at Law against the af. Thomas Douglas of the af. plea. And hereupon at the prayer of the parties of day is to them now here given until next court to be held at princeps Ann Town the third Tuesday of November

then next following in the state that now saving to the parties af. At which day here came the parties af. by their attorneys af. and hereupon the said Thomas Douglas complained against the af. Nathaniel Whitaker in the plea af. in form following Somerset. Nathaniel Whitaker late of Somerset county Clerk was attached to answer unto Thomas Douglas of a plea of trespass upon the case and so forth: And whereupon the said Thomas by William Hayward his Attorney complains that whereas the said Nathaniel the fourteenth day of July. Anno Dom. seventeen hundred and sixty at the county af. was indebted unto the said Thomas in the sum of twenty two pounds four shillings, six pence current money of Maryland for the articles and things in the accounts hereto annexed mentioned and so thereof indebted being the said Nathaniel in consideration thereof afterwards to wit the same day and year af. at the county af. upon himself did assume and to the said Thomas then and there faithfully promised that he the said Nathaniel the sum of Money af. when he should be thereto afterwards required unto the said Thomas would well and faithfully pay and content. Nevertheless the said Nathaniel his promise & assumption af. in form af. made nothing regarding betr mind and fraudulently Intending the said Thomas in that part craftily and subtilly to deceive and defraud the sum of money af. unto the said Thomas hath not paid or him for the same in any sort contented (altho the same to do the same Nathaniel afterwards the same day & year af. and often since at the county af. by him the said Thomas was therunto requested but the same to him to pay the af. Nathe- riel hitherto altogether hath refused and still doth refuse & unjustly deny wherefore the said Thomas said he is worse & hath damage to the Value of Forty pounds current money of Maryland and thereof he brings Suite do so forth. Doe & Roe pledges of prof.