

March Court — 1763 — 205

John Elliott of the a<sup>p</sup> plea unto him it was commanded <sup>and further the same Sheriff returned</sup> that the a<sup>p</sup> Jacob Scott was not found in his Bailwick

Whereupon at the prayer of the a<sup>p</sup> John Elliott the a<sup>p</sup> John Records is adjudged to give special bail to the a<sup>p</sup> —

Whereupon a certain Richard Waller and Lazarus Hufington both present here in Court in their proper persons undertook for the said John Records and assumed upon themselves that if it should happen that Judgements in the plea a<sup>p</sup> should be rendered for the said John Elliott against the a<sup>p</sup> John Records or that the said John Records should be therein convicted that then he should pay and satisfy the said John Elliott the Judgement of the Court thereupon or tender his body in Execution of such Judgements to the prison of the Sheriff of the County a<sup>p</sup> in satisfaction thereof or that they the said Richard Waller and Lazarus Hufington will do the same for him

And hereupon the a<sup>p</sup> John Records puts in his place Samuel Wilson Gent. attorney against the a<sup>p</sup> John Elliott of the a<sup>p</sup> plea

And hereupon at the prayer of the parties a<sup>p</sup> Day is to them now here given untill Next Court to be held at princeps Ann Town the third Tuesday of June then next following in the state that now save

ing to the parties a<sup>p</sup> — At which day here came the parties a<sup>p</sup> by their attorneys and hereupon the a<sup>p</sup> John Elliott complained against the a<sup>p</sup> John Records in the plea a<sup>p</sup> in form following

Somerset s<sup>r</sup> John Records late of Somerset County planter and Jacob Scott late of Somerset County Planter were summoned to answer unto John Elliott Jun<sup>r</sup> of a plea of Covenant Broken and so forth

And whereupon the said John Elliott Jun<sup>r</sup> by William Hayward his Att. says that by a certain writing made the twenty Ninth day of August Anno Dom<sup>i</sup> Seventeen hundred and fifty Five at Somerset County a<sup>p</sup> which the said John Elliott Jun<sup>r</sup> with the seals of the a<sup>p</sup> John Records and the a<sup>p</sup> Jacob Scott

Ed here into Court brings whose date is the same day and Year a<sup>p</sup> it is testified that the said John Records by the said Jacob did Covenant and promise to pay unto the said John Elliott Jun<sup>r</sup> Seventeen hundred Cyprus Boards to be eight Inches broad and one Inch on the top Edge one thousand to be four

Foot four Inches Long And seven hundred of said Boards to be five foot and four Inches Long to be delivered at the said Elliotts Landing at or before the Next day of March Next ensuing the date

hereof which said Parcels of shingles are of the Value of seven pounds and ten shillings Current Money of Maryland as by the writing a<sup>p</sup> fully appeareth yet the said John Records and Jacob Scott the a<sup>p</sup> Cyprus Boards a<sup>p</sup> of Length Breadth and thickness a<sup>p</sup> which are of the Value a<sup>p</sup> unto the said Elliott at or before the first day of March Next following the date of the writing a<sup>p</sup> or at any

Time since at the a<sup>p</sup> Elliotts Landing hath not delivered nor paid and so the said John Elliott says that the a<sup>p</sup> John Records and the said Jacob their Covenant a<sup>p</sup> with him the said Elliott in his behalf made hath not performed to him but broke and hath altogether Denied and still doth

Deny to perform it to him to the Damage of the said Elliott Twenty pounds Current money of Maryland and thereof he brings his Suit bypledged to Doe & Retoe

And hereupon the a<sup>p</sup> John Records by his Attorney a<sup>p</sup> comes and defends the force and injury when he prays Leave thereof to Imparle Here untill Next Court to be held at princeps Ann Town the third Tuesday

Day of August then Next following and he hath it and the same day is given to the a<sup>p</sup> John Elliott here also At which day here came the parties a<sup>p</sup> by their Attorneys a<sup>p</sup> and hereupon the a<sup>p</sup> John Records prays further

Leave thereof to Imparle here untill 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<sup>p</sup> John Elliott here also

At which day here came as well the a<sup>p</sup> John Elliott as the a<sup>p</sup> John Records by their Attorneys a<sup>p</sup> and hereupon the a<sup>p</sup> John Records prays further Leave thereof to Imparle Here untill Next Court to be held at princeps Ann Town the third Tuesday of March then Next following and he hath it and the same day is given to the a<sup>p</sup> John Elliott here also &c

All which  
and hereupon  
cannot be  
Elliott but  
both declar  
- p. that  
Damages  
said in the  
because  
for those  
Therefore  
to the a<sup>p</sup>  
John Rec  
pounds of  
Court no  
amount  
pro  
20  
John Rec  
Somerset  
he might  
- of Ann  
Answers  
here also  
the shes  
body he  
Doe  
Special  
present  
upon h  
said Ma  
he shoul  
Body in  
Richard  
Puts in  
And the  
held at  
a<sup>p</sup>  
- len com  
Somers  
plea of  
that whe  
Sixty on  
and Six