

March Court 1765 208

James Trust Command was given to the sheriff of Somerset County John Henry late of Somerset County the
 20 John Henry his Body before the Justice of his Lordships county Court of Somerset to be held at princeps Ann
 Town the third Tuesday of November Ann Dom one thousand seven hundred and sixty one to answer unto James
 Trust of a plea of trespass upon the case & the same day is given to the ap James Trust also to forth
 At which day here came the ap James Trust by William Hayward his Attorney and the sheriff with John
 Dennis Gent. now here returned that he had taken the ap John Henry whose body here at this day he had ready
 to answer the ap James Trust of the ap plea as to him it was commanded & Whereupon at the pray
 er of the ap James Trust the ap John Henry is adjudged to give Special Bail to the action of
 Thereupon a certain James Houston present here in Court in his proper person undertook for the said John Henry
 and assumed upon him self that if it should happen that Judgment in the plea of should be rendered for the
 said James Trust against the ap John Henry & that the said John should be therein convicted that then he the
 said John should pay & satisfy unto the ap James the Judgment of the court thereupon or render his body in exe
 cution of such Judgment to the prison of the sheriff of the county of or that he the said James Houston will in the same for him
 And hereupon the ap John Henry puts in his place Josiah Polk Gent Attorney at Law against the ap James Trust of
 the ap plea And hereupon at the prayer of the parties ap Day is to them now here given untill next
 Court to be held at princeps Ann Town the third Tuesday of March then next following in the State that now saith
 to the parties of At which day here came the parties of by their Attorneys ap & hereupon
 he ap James Trust declared against the ap John Henry in the plea of in form following
 Somerset for John Henry late of Somerset County Mariner was attached to answer unto James Trust of a
 plea of trespass upon the case And Whereupon the said James by William Hayward his Atty complains that
 whereas on the day of in the Year of our Lord one thousand seven hundred and at the county of the
 ap James at the Instance Request of the said John had delivered unto the said John a certain mass of iron the
 said James to ride from the Town of Winna on Nantuxor River in Dorchester County to the Town of Cambridge
 on Choptank River in the said County of Dorchester the ap John the more ap to grievously burdened and hors
 hastily and immoderately in the day and year ap did ride that the more ap by means thereof sickened and al
 most perished whereupon the said James Trust says he is wove and hath damage to the Value of twenty pounds
 current money of Maryland thereof he brings suit Dve. R. Doe pledges
 And the ap John Henry by Josiah Polk his Attorney comes and defends the Force and injury when he and prays leave
 thereof to Impare here untill next Court to be held at princeps Ann Town the third Tuesday of June then next following
 and he hath it and the same day is given to the ap James Trust here &
 At which day here came as well the ap James Trust as the ap John Henry by these Attorneys ap and hereupon the
 ap John as before defends the force & injury when he prays further leave thereof to Impare here untill next Court to
 be held at princeps Ann Town the third Tuesday of August then next following he hath it & the same day is given to the
 ap James here & At which day here came as well the ap James Trust as the ap John Henry by their Attorneys
 ap & hereupon the ap John prays further leave thereof to Impare 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 ap James here &
 At which day here came as well the ap James Trust as the ap John Henry by their Attorneys ap and hereupon the
 ap John prays further leave thereof to Impare here untill next Court to be held at princeps Ann Town the third
 Tuesday of March then next following he hath it and the same day is given to the ap James here &
 At which day here came as well the ap James Trust as the ap John Henry by their Attorneys ap and the ap John
 as before defends the force and injury when he says that he cannot deny the action of of the ap James Trust nor but
 that he is guilty of the premises in manner and form as the ap James above against him hath complained as to
 the damage of the same James by him by occasion of the premises in that part sustained the same John Henry
 saith & acknowledgeth that the he ap James Trust hath sustained Damages by occasion of the premises beyond
 his costs and charges by him about his suit in that part opposed to twenty two shillings & six pence current Money &
 not more because he ap James Trust denies not this but the same Allegation wants to be true prays Judgment for
 these damages above acknowledged together with his costs & charges to him to be adjudged & Therefore

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