

August Court ---- 1723 ---- 105 -

on the first day of June in the Year aforesaid and often afterwards at the Parish and County aforesaid within the Jurisdiction of
 he was thereunto requested but the Same unto him to pay or in any wise to Content hath refused and Still doth
 refuse and deny Whereupon the Said Benjamin Saith he is worse and hath Damage to the Value of two thousand
 = said two hundred ^{and fifty} pounds of Tobacco and thereupon he Brings Suit ^{at Law} ^{at the Court of the County of Somerset} ^{at the Court of the County of Somerset}

1714	Cornelius Wooderson		
	To 2 levies	2 119	238
1715	To 2 Ditto	2 179	358
			596
1722	To 7 years Interest at 8 per cent		322
	To Costs of Suit		918
			207
		total	<u>1125</u>

1723 Saving Errors off Benj. Waiter

At which Said third Tuesday of August to wit the twentieth day of the Same month and Dowd One thousand
 Seven hundred and twenty three Being the day of the return of the Said Writ Cometh the Said Benjamin
 Waiter by his attorney aforesaid and the Sheriff of Somerset County to whom the foregoing Writ was directed Likewise
 Cometh and maketh return thereof to the Court here ^{in these words following viz}

Copi Caput of Jor. M^o Clerk Sheriff

Whereupon the Said Cornelius Wooderson being called appears and thereupon the Said Cornelius
 Wooderson at the prayer of the plff by his attorney aforesaid is adjudged to give Special Bail to the action
 aforesaid Thereupon a certain William Young of Somerset County ^{presently in Court in his proper person} ^{Shall be bound to take for the Said Cornelius}
 Wooderson that in case the Said Benjamin Waiter shall recover Judgment in the plea aforesaid against the Said
 Cornelius Wooderson, or that the Said Cornelius Wooderson shall be therein convicted that then he the Said
 Cornelius Wooderson shall pay the Condemnation of the Court thereupon or tender his Body to the Custody
 of the Sheriff of Somerset County in Satisfaction thereof or that he the Said William Young will do
 it for him &c - Whereupon the Said Cornelius Wooderson in his own proper person
 comes and defendeth the force and Injury whereof and Saith that he cannot deny the plff his action
 aforesaid as so as aforesaid against him Brought nor can he say But that the Said plff ought to recover
 his damages by Commission of Omissions aforesaid to the Sum of Eleven hundred and twenty five pounds
 of Tobacco and Costs of Suit ^{against him} which the Said plff does not deny &c -

Therefore it is considered by the Justices here the twentieth day of August and Dowd One
 thousand and Seven hundred and twenty three aforesaid that the Said Benjamin Waiter recover against the Said
 Cornelius Wooderson as well the Sum of Eleven hundred and twenty five pounds of Tobacco ^{for his}
 (295) damages aforesaid in form aforesaid as also the Sum of Two hundred and twenty five
 pounds of Tobacco by the Court here adjudged unto him for his Costs and Charges by him about his Suit
 in this Behalf Said Out and Expended and the debt in Money &c

Robert Martin } memorandum the plff by Francis Allen his attorney sued Out his Lordships Writ of Attachment
 Robt. Citter } against the debt the ten acres of Hollowell in these words viz. Somerset County (Charles
 Abbott)