

August Court --- 1723 --- 111

1719	To Timothy Malcolm	Dr	
	To 1 Levial		170
1720	To 1 Do		115
1721	To 1 Do		109
1722	To for bearance at 8 p ^{ts}		66
			<u>460</u>

Contra		Cr
1722	Due	460

Errors Excepted of me Rob^t Martin

And the said Timothy Malcolm by ~~his~~ Lewis Gale his attorney comes and defends the force and injury when ^{pr} and prays Leave to Judge here into until the next Court and he hath it and the same day is given to the p^{ts} also - At which said next Court to wit the Eighteenth day of June and Dowⁿ One thousand Seven hundred and twenty three comes again as well the said p^{ts} by ~~him~~ as the said def^{ts} by their attorney's ^{af^d} and the said def^{ts} by his said attorney prays further Leave to Judge here into until the next Court and he hath it and the same day is given to the p^{ts} also -

At which said next Court to wit the twentieth day of August and Dowⁿ One thousand Seven hundred and twenty three comes again as well the said p^{ts} as the said def^{ts} by their attorney's ^{af^d} and the said def^{ts} by his said attorney as before defended the force and injury when ^{pr} and says that he did not assume upon himself in manner and form as the ^{af^d} Robert hath above against him Complain'd and of this he puts himself upon the Country - Lewis Gale of Doffe

And ^{af^d} of the Side manner Allen

Whereupon the said Robert Martin at his solemnly called Court not but under default was in his writ in the pleas ^{af^d} further Prosecuted against the said Timothy Malcolm &

Therefore it is considered by the Justices here the twentieth day of August and Dowⁿ One thousand Seven hundred and twenty three that the said Robert Martin and his p^{rs}decessor of Prosecuting that is John Doe and Richard Roe be in mercy & and that the said Timothy Malcolm goe there of without day &

and also it is considered by the Justices here that the said Timothy Malcolm Recover against the (238) said Robert Martin the Sum of Two hundred & thirty Eight pounds by the Court here adjudged unto him for his Costs and Charges by him about his defence in this behalf laid out and Expended according to the form of the Statute lately made and provided and that the said Timothy Malcolm have thereof his Execution &

f. A. Robert Martin

By Timothy Malcolm Esq^r

Somerset County vs Timothy Malcolm of Steyney parish in Somerset County planter and Crisilla his wife were attached to answer unto Robert Martin of plea of trespass upon the Case &

And whereupon the said Robert by Francis Allen his attorney Complaines that whereas the said Crisilla whilst she was sole to wit the thirtieth day of November and Dowⁿ One thousand Seven hundred and twenty two at the Parish and County ^{af^d} within the Jurisdiction of this Court was indebted unto the said Robert in four hundred forty and three pounds of tobacco for Lewis Curbitt dues and for bearance there: upon to the said Robert before that time then and there due owing and unpaid as by amount

(thereof)