

April Court 1723 39
H. A. Alexander Carlyle
Maj. Charles Ballard

Somerset County

Be it remembered that on the twentyfourth day of November

in that same term came here unto Court Alexander Carlyle by Francis Allen his attorney and Exhibited to the Justices of the Right Honourable the Lord Proprietary his certain Bill against Charles Ballard Gent. Chief Justice of the County Court of the Right Honourable the Lord Proprietary of the Court here present known Court in his own proper person of a plea of trespass upon the Case of the Court here now hold for County of Somerset. Somerset County. Alexander Carlyle by Francis Allen his attorney Claims against Charles Ballard Gent. Chief Justice of the County Court of the Right Honourable the Lord Proprietary present known Court in his own proper person of a plea of trespass upon the Case of for that whereas the said Charles the first day of December and Dowd One thousand Seven hundred and twelve at Steyney Parish in the County of Somerset aforesaid within the Jurisdiction of this Court was indebted unto the said Alexander in four thousand two hundred and Eight Pounds of tobacco and five pounds Seven pence half penny Court money it being as well for sundry goods wares and Merchandises by the said Alexander to the said Charles at the Special Instance and request of the said Charles at the Place and Jurisdiction aforesaid before that time sold and delivered as also for sundry Sums of money and tobacco by the said Charles for the said Alexander from sundry Persons at the Place and Jurisdiction aforesaid had and received as also for Credit by the said Alexander at the like Special Instance and request of the said Charles at the Place and Jurisdiction aforesaid given to a certain Joseph Austin as also for tobacco by the said Alexander for the said Charles at the like Special Instance and request of the said Charles and for his use to a certain Adam Heath at the place and Jurisdiction aforesaid deposited and paid and being so then indebted the said Charles in Consideration thereof afterwards to witt the day of year aforesaid at the Place aforesaid within the Jurisdiction aforesaid upon himself did assume and to the said Alexander then and there did faithfully promise that he the said Charles the said four thousand two hundred and Eight pounds of tobacco and five pounds and Seven pence half penny to the said Alexander when he should be afterwards therunto requested he would well and faithfully pay and content and altho the said Charles hath well and truly paid and satisfied to the said Alexander the sum of five pounds and Seven pence half penny and two thousand four hundred and twenty Eight Pounds of tobacco free of the sum of four thousand two hundred and Eight pounds of tobacco yet as to One thousand Seven hundred and Seventy nine and a half pounds of tobacco residue thereof the said Charles his promise and assumption aforesaid in form aforesaid made little regarding but Clotting and fraudulently Intending the said Alexander in that End craftly & Subtly to deceive and defraud the said One thousand Seven hundred Seventy Nine and a half pounds of tobacco to the said Alexander as yett he hath not paid or to him for the same in any wise contented altho the same to doe the said Charles on the first day of August and Dowd One thousand Seven hundred and twenty One and often afterwards in the Parish and County aforesaid within the Jurisdiction aforesaid by the said Alexander he was therunto requested but the same unto him to pay or in any wise for the same to content himself to hath altogether refused and still doth refuse and deny whereupon the said Alexander saith he is worse and hath damage to the value of three thousand pounds of tobacco and thereupon he brings Suite of. After the plea doth doth the

And the said Charles Ballard by ^{Francis Allen} his attorney comes and defends the force and injury aforesaid and prays leave to Imparole himselfe until the next Court and he hath it and the same day is given to the said Alexander also - At which said next Court comes to witt the Nineteenth day of March and Dowd One thousand

(Seven)