March Court - - - - - - - 1725 - - - 115

Jurisdiction of the not paid or limpsoil in any wise contented but the same Dam.ge the same hitherto to pay ~~[illegible]~~ or the same Dos: fort in any wise to contend hath altogether refused to the dam of the Said Dos: twelve hundred pounds of ~~[illegible]~~ & thereof he brings his Suite &c ——

Samuel Wheler - - - - - Dr. — Ffrancis Jones Late of Somerset County Gent Cr.

	To Levie at 121 - -	121			
1722	To Levie at 140 - - - - - -	140	1726	By Ballance Due - - -	538
1723	To D.o at 89 - - - - - -	89			
1724	To Mr. Haywards Acct - - - -	25			
	To Mr. Allen - - - - - -	100			
	To Interest at 8 ⅌ Ct. - - - - -	63			
		538			

Errors Excepted ffr Dos: McTester —

And the afd Samuel Wheler in his proper person cometh and defendeth the force and Injury when &c. and Says that he cannot gainsay the Cause of his action afd so as afd against him brought nor can he Say but that the Said Cause Ought to recover his damages by reason of the premises afd to pay five hundred and thirty Eight pounds of tobo and Costs of Suite against him which the Said Cause doth not Gainsay —

Therefore it is considered by the Justices here that the afd Joseph McTester recover against the afd Samuel Wheler as well the Sum of five hundred & thirty Eight pounds of tobo. his damages afd in form afd confessed as also the Sum of Two hundred and forty
241 One ——— pounds of tobo for his Costs and Charges by him about his Suite in this behalf Expended Said Out and Et pended and the afd doth in mercy &c ———

Ff. The Same Ffrich Jones. } Command was Given to the Sherr of Somerset County that he Should take Ffrich Jones Late of Somerset County Planter if he should be found in his Bailiwick & him safely keep so that he might have his Body before the Justices of his Lordships County Court of Somerset to be held at Dividing Creek the third tuesday of March Next to answer unto Dos: McTester of a plea of Debt upon the Case & that thereof they he should not fail &c —— And the afd Dos: McTester by Levin Gale his attly Declared against the sd Ffrich Jones in the plea afd as followeth viz.t —— Somerset ss Ffrich Jones Late of Somerset County Planter was attached to answer unto Dos: McTester of a plea of Debt upon the Case &c.

And Whereupon the sd Dos: by Levin Gale his attly Complains that whereas the sd Ffrich Jones the ten the day of Decem.r one thousand Seven & twenty five at the County afd within the Juris.n of this Court was Indebted to the Same Joseph in the Sum of four Hundred & twenty pounds of tobo. as by and therewithin Court produced may appear & so thereof being Indebted the said Ffrich in Consideration thereof afterwards to wit the same day & year afd at the County afd within the afd Juris.n upon himself assumed & to the same Dos: then & there faithfully promised that he when afterwards he Should be thereto required he the afd Sum of four hundred & twenty pounds of tobo to the Same Ffrich would well & faithfully Content & pay

Nevertheless