

Novemb. Court. . . 1726 193

Amo. Dowd. One thousand seven hundred and twenty five that the said Andw. Scott Recover against the said James Scott as well the Sum of three pound Eight Shilling and nine pence for money his damage, and by the Justice and in form and as before as also the Sum of Two hundred and Twenty Six ———— pound, of tobacco for his Costs and Charges to the same effect by the Court here of by his agent adjudged and the said Defend^t. in mercy &c —

Whereupon the said James Scott by his attorney and prays the Court that according to act of assembly in such case made and provided, they may dissolve themselves into a Court of Chancery, and hear and determine the action and in the plea and according to the merits thereof, which is granted &c. and because the Court here of their Judgment of and upon the premises, to tender as yett will advise day is therefore given unto the party and while the next Court of hearing there of their Judgment for that the Court here thereof as yett &c —

At which said ^{next} Court to witt the sixteenth day of August amo. Dowd. One thousand Seven hundred and twenty Six came again as well the said Deft^r as the said Deft^r by their attorney, and because the Court here of their Judgment of and upon the premises, to tender as yett will advise further day thereof is given the party and while next Court, of their Judgment of and upon the premises, to hear &c. for that the Court here thereof as yett &c.

At which said next Court to witt the eighteenth day of Novemb. amo. Dowd. One thousand Seven hundred and twenty Six came again as well the said Deft^r as the said ~~attorney~~ Deft^r by their attorney, and hereupon all and Singular the premises by the Court being seen and heard as well on the part of the said Deft^r as on the part of the same Deft^r and mature deliberation thereupon had. Wherefore it is decreed and considered by the Court that the former Judgment for the Damages and Costs of Suite therein mentioned recovered against the said James Scott be affirmed and that the said And^w Scott ^{likewise} recover against the said James Scott the Sum of One hundred and forty four ———— pound of tobacco by the same Court here into him for his Costs and Charges, by him about his defence

nothing adjudged &c
By Joseph M^rester } Somerset p. Tobias Burke Late of Somerset County planter was
G^d. Tobias Burke } attached to answer unto Joseph M^rester of a plea of trespass upon
the case &c and whereupon the same Joseph by Lewis Gale his attorney
Complains that whereas the said Tobias the tenth day of may amo. Dowd. One thousand & (Seven)