

March Court . . . 1726 . . . 228

Att which said third Tuesday of March to witt the twenty first day of the same Month came down one thousand seven hundred & twenty six being the day of the return of the said writ Cometh was Joseph McCarter by his atty & the Sher of Somerset County to whom of foregoing writ was Directed Likewise Cometh and Maketh Return thereof to the Court here endorsed in these words vizt. *Legi Burgundis* Delivered in time

And the afo Abraham Ingram by Geo. Dashiell his atty Cometh and defends the force & Injury when & and saith that he cannot deny the action afo. nor but that he did upon himselfe a sume in Manuall force as the afo Joseph McCarter above against him supposed, nor can he deny but that the afo Joseph hath sustained Damages by Omission of the non performance of his promise and assumption afo to one thousand and eleven pounds of Tob: and the same declaration before Expressly Confessed &c. Therefore it is Considered by the Court here that the afo Joseph McCarter recover against the afo Abraham Ingram as well the sum of one thousand and eleven pounds of Tob: his Damages afo in forme afo Confessed as also the sum of two hundred & seventy one pds of Tob: for his Costs and Charges by him about his Suite in y^e part Expended So the same Joseph by y^e Court here of his afoent adjudged & the afo Deft in Mercy &c.

The same } Command was given to the Sher. of Somerset County that
John Summers } should take J^d Summers late of Somerset County planter of the
} should be found in his Bailwick and him should safe keep so that he
} might have his Body before the Justices of ^{his Lordships} County Court to be held at ^{of Somerset} Dividing Creek
the third Tuesday of March then next to answer unto Jos: McCarter of Aglea of trespass upon
the Case &c. and that thereof he should not fail &c. And the afo Jos: McCarter by J^r Galt
his attorney declared against the said J^d Summers in d. plea &c. as followeth vizt. —
Somerset: John Summers late of Somerset County planter was attached to answer unto Joseph
McCarter of Aglea of trespass upon the Case &c.

And whereupon the said Jos: by J^r Galt his attorney Complaind & shewed
the said J^d. the first day of ~~March~~ ^{March} and down one thousand seven hundred & twenty six
at Somerset County afo within the Jurisdiction of this Court was Indebted unto the said Jos: in
one thousand five hundred and fifteen pounds of Tob: as by afo. here unto annexed may
appear and being so here of Indebted the said J^d. in Consideration hereof the day and year
afo at the place afo upon himselfe did afoent and to the said Jos: then & there did Galt Galt
(monica)