

AND the sd William Whitesides by Lewis Gale his attorney comes and defends the force and injury when &c. and prays leave to departs hereunto until the next Court and he hath it and the same day is given to the sd Esch here also &c.

Att which said next Court to witt the nineteenth day of November and Dowd one thousand seven hundred and Twenty Eight came again as was the sd John Brittingham as the sd William Whitesides by their attorneys aforesaid, and whereupon the sd William by his said attorney prayed Leave to departs hereunto until the next Court and he hath it and the same day is given to the sd Esch here also &c.

Att which said next Court to witt the Eighteenth day of March and Dowd one thousand seven hundred and Twenty Eight came again as well the sd John Brittingham as the sd William Whitesides by their attorneys afo, and whereupon the same John by his said attorneys pray that the sd William to his declaration afo may answer &c. Thereupon the attorney of the sd William says that he is not informed by the same William his Grant of any answer for the same William to the same John in the plea afo to be given and nothing els thereof says by which the same John claims against the sd William thereof undefended -

Wherefore the sd John his Damages by Quasion of the premises against the sd William ought to recover, where upon as was the sd Esch as the sd Esch by their attorneys afo prays that according to an act of assembly in such case made and provided that the Justice may Enquire what Damages the said John hath Sustained by Quasion of the Nonperformance of the promise and assumption afo, Whereupon all and singular the premises by the Justice here being seen heard and fully understood and mature deliberation thereupon had, it seemeth to the Justice here that the sd William did not assume upon himself in manner and form as the sd John above against him hath complained &c.

Therefore it is considered by the Court here that the sd John Brittingham ~~is~~ of the sd Samuel Brittingham, de. take nothing by his writt and Declaration afo but bein merry for his false Rumour and that the sd William Whitesides go thereof without day &c

At John Kendale. } Somersett County } Robert Grayham late of Somersett County merchant  
} was attached to answer unto John Kendale of a plea of the gaps upon the  
} Case &c. } AND whereupon the said John by Francis Allen his attorney  
} Complains that whereas the said Robert the fifteenth thirteenth day of August and Dowd one  
} thousand seven hundred and twenty seven at Somersett County within the Jurisdiction of this Court  
} was indebted unto the said John in five hundred and Ninety One pounds of Tobacco as by an  
} account hereunto annexed, and here in Court produced may appear and being so thereof indebted  
} the said Robert in consideration thereof the day and year aforesaid at the County afo upon himself  
} did assume and to the said John then and there faithfully did promise that he the said Robert the  
} (said)