

March Court -- 1728 175

William West says that he cannot gainsay the action aforesaid, of the aforesaid James nor can he say but that but that the bond or writing obligatory aforesaid is his act and deed nor can he say but that he doth detain from the aforesaid James the aforesaid sixteen pounds five shillings Lawfull money of America in manner and form as the aforesaid James above against him hath Complaind

Therefore it is Considered that the aforesaid James Brennan Administrator of the aforesaid George Gibbs Recover against the aforesaid William West ~~the~~ sixteen pounds five shillings Lawfull money of America his debt aforesaid or also his damages by occasion of the detaining of the same debt to three hundred and Eighty pounds of tobacco to the same James by the Court here of his aforesaid adjudged and the aforesaid Doth in mercy &c -

At Christopher Glap } Somerset p. William Bortelate of Somerset County Carpenter ad-
Jure: William Bortel } Dit: William Bortel Carpenter of Somerset County was Sumoned
to answer unto Christopher Glap of a plea that he Render unto him Six
pounds One shilling and three pence and One hundred Gallons of Sider which to him he owes and
unjustly detains &c. AND whereupon the said Christopher by Francis Allen his attorney

said that whereas the aforesaid William the Ninth day of may and Dowd One thousand seven hundred
and twenty eight at Somerset County within the Jurisdiction of this Court by his certain writing
obligatory ^{which the} aforesaid Christopher with the Seal of the said William, signed hereto Court bring
whose date is the same day and year did acknowledge himselfe to be bound unto the said
Christopher when he should be there unto required, Nevertheless the said William tho' often
required the said Six pounds One shilling and three pence and One hundred Gallons of Sider
to the aforesaid Christopher hath not Rendered but the same to him hitherto to Render hath denyed
and will doth deny and unjustly detains whereupon the said Christopher saith he is worse and
hath damage to the value of fifteen pounds Court money of Maryland and thereupon he brings Suit
of Allen (Duc. Bledg &c. J. doct. fac. -

And the aforesaid William Bortel by in his own proper person comes and defends
the force and Injury when &c. and prays leave to Jurgate hereunto until the next Court
he hath it and the same day is given to the aforesaid ~~West~~ here also &c.

At which said next Court to witt the Eighteenth day of March ann. Dowd One thousand seven
hundred and twenty eight came again the aforesaid Christopher Glap by his attorney aforesaid and prays that
the aforesaid William Bortel to his declaration aforesaid may answer, but the aforesaid William Bortel altho-
at the same day solemnly called Cometh not, nor nothing says in bar or preclusion of the action aforesaid
of the aforesaid Christopher ^{says} by which the same plea remaineth against the aforesaid Doth thereof undaunted &c

Therefore it is considered that the aforesaid Christopher Glap Recover against the aforesaid Wm. Bortel
Six pounds One shilling and three pence and One hundred gallons of sider his debt aforesaid and his damages
by occasion of the detaining of the same debt to, two hundred and forty nine pounds of tob. to the same
Christopher of his aforesaid by the Court here adjudged, and the aforesaid Doth in mercy &c -