

August Court 1729 212
 1728 Mr. William Whittington D^r 1728 Contra
 July 31 To 1/4 ga^r rum £ out 6 By 17 1/2 Bushels Corn rec^d by M^r J. £ 1 9 2
 Sept 24 To 1/4 ga^r rum 2 8 9 Peter Caywell
 To 100 Sugar 2 5 0 By 16 Ditto rec^d from Boyer 1 6 8
 To your assumption to pay £ 1 15 8 By 10 1/2 Ditto rec^d from J^d. Benson out 7 6
 for M^r J^d. Magan as for his out 2 13 6 By Ditto rec^d from M^r. W^m. Whittington
 £ 26 08 9

And the said Will^m. Whittington in his own proper person Comer & Defend
 the force & injury whereof And pray Leave to Judge hereunto until y^e Next
 Court the last day of same Day is given to the said ~~W^m. Whittington~~ also &
 At which said Next Co^t to wit the nineteenth day of August and said one thousand
 seven hundred and twenty nine came again the said Francis Mener by his attorney and the said
 Francis prays that the said William Whittington to his deed and may answer, whereupon the said
 William Whittington hath day given him by the Court here until the second day of this town to answer
 &c. And the same William at the same day being solemnly called to answer Cometh not, nor says
 nothing in bar or Exclusion of the action and by which the same Francis Remains
 against the said William there of undefeated &c.

Wherefore the said Francis Mener his damages by Omission of the Non performance
 of the promise and assumption and against the said William ought to Recover
 and whereupon at the prayer of the said Francis Mener the Justice here
 and being to act of assembly in such Case made and provided do assess the damage of the
 same Francis by Omission of the Non performance of the promise and assumption to be
 sides his costs and Charges by him about his suit in that part Expended to twenty two pounds
 of seven Shillings and five pence current money.

Therefore it is Considered that the said Francis Mener Recover against
 the said William Whittington his damages and to twenty two pounds of seven Shillings and five
 pence current money in form and by the Justice assessed as also three hundred & thirty four
 pounds of tobacco for his costs and Charges to the same Francis at his request by the Court
 has adjudged and the said doeth in mercy &c.

Francis Landcaker
 Commissioner and
 affidavits

Somersetts: Charles absolute Lord Proprietary of the provinces
 of Maryland & Avalon Lord Baron of Baltimore & To John
 Caldwell Esq. Handy Gro: Dashiell & Isaac Handy all of County
 City Gent Greeting Know ye we have appointed you or any

three or two of you to be our Commissioners to examine & view on behalf
 of a certain Francis Landcaker of the County of in relation to the Bounds of two tracts
 or pieces of Land lying in the County of the same Francis one called Come by Chance
 & the other called High Suffolk. We therefore require you or any three or two of
 you