

Th. George Douglas } Somerset. John Ellis late of Somerset County planter was attached
ag^t }
John Ellis } to answer unto George Douglas of a plea of the gap up on the case &c.

And whereupon the same George Douglas by Lewis Gale his attorney
Complains that whereas the said John Ellis the tenth day of March and Dowd One thousand
seven hundred and twenty nine at Somerset County within the Jurisdiction of this Court was
Indebted unto the same George Douglas in the sum of five hundred pounds ^{of tobacco} and ten bushells of
Indian Corn or five bushells of wheat for above sold and delivered and thereof being indebted
the said John Ellis in consideration thereof afterwards viz. the same day and year and at the County
and within the said Jurisdiction upon himself assumed and to the same George Douglas then
there faithfully promised that he when afterwards he should be thereto required he the said sum of
five hundred pounds of tobacco and ten bushells of Indian Corn or five bushells of wheat to the
same George Douglas would well and faithfully pay and content, nevertheless the said John Ellis
his promise and assumption and in form and made not regarding but plotting and fraudulently
intending him the same George Douglas in that part craftily and slyly to deceive and defraud
the said five hundred pounds of tobacco and ten bushells of Indian Corn or five bushells of
wheat or any part thereof to the same George Douglas hath not paid altho. the same to do
the said John Ellis afterwards viz. the same day and year and at the County and within
the said Jurisdiction by the same George Douglas was requested but the same hitherto
to do hath refused and still doth refuse whereby the same George says he is worse and hath
Damage to the value of One thousand pounds of tobacco and ten bushells of wheat and thereof
he brings this Suit &c. Gale pledges of Prosecuting. In DAK Hoc.

And the said John Ellis in his own proper person comes and defends the force and injury
when &c. and says that he cannot deny the action and of the said George, nor but that he did
assume upon himself in manner and form as the said George above against him hath complained, and
as to the damage of the same George, by him by Breach of the premises in that part sustained, the same
John says and confesseth that the said George has sustained Damage by Breach of the premises further
then his costs and Charges by him about his Suit in that part assessed to five hundred pounds of tobacco
and ten bushells and half of wheat and not more and because the said George deny's not this but
the same allegation confesseth to be true, pray's Judgment and those Damages above confessed together with
his costs and Charges and to him adjudged &c.

Therefore by consent of the parties ^{it is considered} that the said George Douglas Recover against
the said John Ellis his Damages and to five hundred pounds of tobacco and two bushells and half
of wheat by the same John Ellis in form and confessed as also two hundred & twenty two
pounds of tobacco for his costs and Charges and to the same Geo: at his request by
the Court here and consent of the parties and adjudged which certain Damages in the whole do
amount to five hundred pounds of tobacco and two bushells and half of wheat and so of Rest
in Money &c.

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