

August Court... 1727 ---- 28

Att which said Next Court to witt the fifteenth day of August ann<sup>d</sup> Dow. One thousand seven hundred and twenty six Came again the parties by their attorneys etc, and where upon all and Singular the premises being seen and fully read, and mature deliberation thereupon had, it seemeth to the Court here that the declaration etc of the same John Carter in manner and form above delivered and the matter in the same specified are not sufficient in the Law

Therefore it is considered by the Court that the said John Carter take nothing by his declaration etc and that the same John Carter be in mercy, and also that the said Isaac Rappoon as to the premises etc goe without day

Southy Whittington } Somerset p. John Sumers and Thomas Sumers both Gate of Soudett City  
John & Thomas Sumers } Clauters were attached to answer unto Southy Whittington of trespass etc

AND where upon the same Southy by Revin Gale his atty Complaines of the said John & Tho. Sumers w<sup>th</sup> tenth day of June ann<sup>d</sup> Dow. one thousand seven hundred & twenty six at Soudett City within the Jur. of This Court with force & arms the fence of y<sup>e</sup> said Southy did throw down and the logs of the said fence of the value of forty Shill<sup>ts</sup> did take & carry away & other harms to him then there did doe to the Great Dam<sup>age</sup> of the said Southy & against the peace of the Right Hon<sup>ble</sup> the Lord Proprietor of this province whereby y<sup>e</sup> same Southy says he is worse & hath Dam<sup>age</sup> to y<sup>e</sup> value of Ten p<sup>cs</sup> Cur<sup>rency</sup> money and thereof he brings this suite etc  
Revin Gale p<sup>r</sup> Quer<sup>r</sup>. Pledge & J<sup>ud</sup>ice etc

And the said John & Tho. Sumers by George Dashiell their atty Coues & Defend the force and Injury when had and pray leave to Judge here unto untill the Next Court and they have it & the same day is given unto the said etc here also etc

Att which said Next Court to witt w<sup>th</sup> fifteenth day of Novemb<sup>r</sup> ann<sup>d</sup> Dow. one thousand seven hundred & twenty six Came again as well the said Southy Whittington as the said John & Tho. Sumers by their attys etc & the said John & Tho. Sumers by their said atty thereupon pray further leave to Judge here unto untill the Next Court & they have it & the same day is given unto y<sup>e</sup> said etc here also etc

Att which said Next Court to witt w<sup>th</sup> twenty fifth day of March ann<sup>d</sup> Dow. one thousand seven hundred & twenty six Came again as well the said Southy Whittington as the said John & Tho. Sumers by their attys etc & the said John & Tho. Sumers by their said atty thereupon pray further leave to Judge here unto untill y<sup>e</sup> Next Court & they have it & the same day is given unto y<sup>e</sup> said etc here also etc

Att which said Next Court to witt w<sup>th</sup> twentieth day of June ann<sup>d</sup> Dow. one thousand seven hundred & twenty seven Came again as well the said Southy Whittington as y<sup>e</sup> said John & Tho. Sumers by their attys etc & the said John & Tho. Sumers by their said atty thereupon pray further leave to Judge here unto untill y<sup>e</sup> Next Court & they have it & y<sup>e</sup> same day is given unto y<sup>e</sup> said etc here also etc

Att which said Next Court to witt w<sup>th</sup> fifteenth day of August ann<sup>d</sup> Dow. one thousand seven hundred & twenty seven Came again as well the said Southy Whittington as y<sup>e</sup> said John & Tho. Sumers by attys etc & y<sup>e</sup> said John & Tho. Sumers by their said atty as before Defend the force & Injury when had and say that they are not guilty of the Premises above upon them Imposed in (manner)