

November Court 1791 143

Att which said next Court to witt the Seventeenth day of August and Dowd One thousand Seven hundred & thirty one
 Came againe as well the said John Dennis by his attorney aforesaid as the said Elizabeth Townsend by in her proper person
 in Custody as afo and whereupon further day is Given to the afo Elizabeth in Custody as afo by the Court here untille
 the next Court and the same day is Given to the afo post here also &c.

Att which said next Court to witt the Sixteenth day of November and Dowd One thousand Seven hundred & thirty
 : by One came againe as well the aforesaid John Dennis by his attorney aforesaid, as the aforesaid Elizabeth Town-
 : send in Custody as afo, and thereupon the said John Dennis prays that the said Elizabeth to his declaration afo
 may answer, but the said Elizabeth altho. Solemnly called came not but made default nor says nothing in bar or
 preclusion of the action aforesaid of the aforesaid John by which the same John Remains against the said Elizabeth
 Words of undoforded. - Wherefore the same John his damages by Occasion of the premises against the said Elizabeth
 ought to recover, but because it is unknown what damages the afo John hath sustained by Occasion of the non-
 : performance of the promise and assumption afo. Therefore Command is to the Sher. of Somerset County that by
 Oath of honest and Lawfull men of his Bailiwick or County he diligently Enquire what damages the afo John
 has sustained as well by Occasion of the non performance of the promise & assumption aforesaid as for his
 Costs and Charges by him about his Suit in that part approved and the Inquisition which therof taken, the
 Sher. made appear to the Justices of his Lordships County Court of Somerset to be hold at Dividing Creek the third Tues-
 : day of March next under his Seal and the Seals of them by whose Oath the same Inquisition is taken he send
 together with the writ therof directed &c.

D ⁿ Somerset County		
To Cash paid William Handy for dor of Court ..	£ 1.00.0	By Rich ^e Hulls fine ..
To my Commission ..	1.3.0	By Rich ^e Walton's f ^e ..
To Cash paid M ^r Hayward ..	0.16.0	By Ellarg ^e Paul's f ^e ..
To John Handy ..	4.3.4	By W ^m Hoveys Swart ^e ..
To Cash paid Cap ^t John Scott ..	1.13.8	
	<u>11.17.6</u>	<u>11.17.6</u>
Nov ^r Court Errors Excepted of me		
John Handy		

Henry Spear .. } Command was Given to the Sher. of Somerset County that he should take William White
 W^m Whittington .. } :ington late of Somerset County Gent. if he should be found in his Bailiwick and him
 Should safekeep so that he might have his body before the Justices of his Lordships County
 Court of Somerset to be held at Dividing Creek the third Tuesday of November then next to satisfy Henry
 Spear of Seven hundred and Twenty Nine pounds of Tobacco which to the same Henry in the same Court before
 the Justices therof were adjudged for his damages which he had by Occasion of the non performance of
 a certain promise and assumption to the same Henry by the afo William Lately made, whereof he is Committed
 Att which said next Court to witt the third Tuesday of November and Dowd One thousand Seven hundred and
 thirty One came the said Henry Spear by Francis Allen his attorney and the Sher. of Somerset County to
 whom therof going writt was directed Likewise comes and makes Return therof to the Court here bid over
 in these words following vid^e - Copi^e Con^e of J^o Goldwell Sher -
 whereupon the said Sher. altho. Solemnly called bring not in the body of the said William Whittington according
 to the return of his writt afo but made default &c.