

June Court --- 1733 --- 20.

At which said next Court to wit the nineteenth day of June and Dow: One thousand Seven hundred and thirty three  
Came againe as well the <sup>vs</sup> William Wye as the <sup>vs</sup> William Horsey by their attorneys <sup>vs</sup> and thereupon  
the said William Horsey as before defends the force and Injury when <sup>vs</sup> and saith that he did not assume  
upon himselfe in manner and form as the said William Wye above against him hath complained and of this  
he putteth himselfe upon the Country <sup>vs</sup>. — and whereupon the same William Horsey prays that the <sup>vs</sup>  
William Wye, may reply to his plea aforesaid, but the same William Wye altho' solemnly called Cometh  
not, but made default, nor to the plea of the same William Horsey did reply, nor in his writt <sup>vs</sup> further  
presented against the same William Horsey <sup>vs</sup>.

Therefore it is considered by the Court here that the <sup>vs</sup> William Wye take nothing by his  
writt <sup>vs</sup> but that he and his pledges of presenting to wit John Doe and Richard Roe be in mercy and that  
the <sup>vs</sup> William Horsey goe there of without day <sup>vs</sup>. and further it is considered that the <sup>vs</sup> William  
Horsey Recover against the <sup>vs</sup> William Wye Two hundred and twelve  
pounds of tobacco for his Costs and Charges by him about his defence <sup>vs</sup> and in that part sustained to the  
same William Horsey by the Court here according to the form of the Statute in such manner thereof lately  
made and provided adjudged and that the same William Horsey have thereof his Execution <sup>vs</sup>

James Lindow  
vs  
Haber Whittingham

Somerset's Heber Whittingham Late of Somerset County  
Merch: was Attached to answer unto James Lindow of a Plea of  
Tresspass upon the Case

And whereupon the same James by Levin Gale his Attorney complains that  
Whereas the <sup>vs</sup> Heber The Tenth day of March Anno Dow one thousand seven  
hundred and Twenty seven at Somerset County within the Juris of this Court was Judged  
unto the same James four pounds four shillings and eight pence half penny Curr Money of  
Maryland as of Account herunto annexed and here in Court produced. and so thereof being  
Judged the said Heber afterwards to wit the same day and Year aforesaid at the County  
aforesaid and within the aforesaid Juris in consideration thereof upon himselfe assumed  
aid to the said James then and there faithfully did promise that he when afterwards  
he should be thereto Requested he the aforesaid sum of four pounds four shillings and  
eight pence half penny Curr money To the same James well and faithfully would  
Content and pay herewith the said Heber his promise and Assumption aforesaid  
In form aforesaid Made <sup>vs</sup> Regarding but plotting and fraudulently Intending him  
the said James in that part Craftily and Subtly to Defraud and Deceive he the said  
Heber the aforesaid sum of four pounds four shillings and eight pence half  
penny nor any part thereof to the same James hath not paid or bin for it in any  
wise Contented altho' the said Heber the same to do afterwards to wit the  
same Day and Year <sup>vs</sup> at the County <sup>vs</sup> and within the <sup>vs</sup> Juris was  
Requested but the said Heber the same to do hitherto hath Refused and