

of the Court and all took a newing thereon to the said John Britt and Thomas Belling or that he the said John Dennis Ind. will do the same for him &c. - Whereupon the said Heritt altho'. Solemnly Cometh not in or is his writt afd against the said John Britt & Tho Bellen further prosecuted &c.

Therefore it is Considered by the Court here that the afd Heritt Ratilford take nothing by his writt and declaration afd but that he and his pledges of prosecuting to witt John Doe and Richard Roe are in mery and that the afd John Britt and Thomas Bellen goe thereof without Day &c. and further it is Considered that the afd John Britt & Thomas Bellen Recover against the afd Heritt their Damages by Breach of the promise, to Two hundred fifty Two --- pounds of Tobacco to the same John and Thomas by Discretion of the Justice here at their request for their costs and charges in that part Sustained according to the form of the Statute hereof made and provided by the Court here ad judged &c.

252:

W.C. Geo. Douglas

vs John Ellis ...

On the 11th was given to the Sheriff of Somerset County that he should take John Ellis late of Somerset County planter if he should be found in his bailiwick and him ^{should} safe keep so that he might have his body before the Justice of his Lordships County Court of Somerset to be held at dividing Creek the third Tuesday of November then next to answer unto George Douglas of a plea that he render unto him two Bushells and an half of wheat and Seven hundred and twenty two pounds of Tobacco which to him he oweth and unjustly detains &c. And that thereof he should not fail &c. And the aforesaid George Douglas by William Beckingham his attorney complains against the afd John Ellis in the plea afd. as followeth Vizt Somerset County vs John Ellis late of Somerset County planter was summoned to answer unto George Douglas of a plea that he render unto him two Bushells and an half of wheat and Seven hundred and twenty two pounds of Tobacco which to him he oweth & unjustly detaineth &c.

And whereupon the same George by William Beckingham his attorney complains that whereas he the said George at another time to witt the nineteenth day of August in the year of Our Lord Seventeen hundred and twenty nine at a Court of the Right Honourable the Lord proff that now is held at dividing Creek in the same County before the worshipfull Samuel Hopkins and his associates then Justice of the same County by Consideration of the same Court had recovered against the afd John Ellis by the name of John Ellis late of Somerset County planter two Bushell and an half of wheat and Seven hundred and twenty two pounds of Tobacco certain damages which to the said George were adjudged in the said Court as well for his damages which he had Sustained by Occasion of the non performance of a certain promise and assumption