

March Court . . . 1736 162

of two thousand pounds of tobacco and thereupon he brings suit ^{pledged by Judge R. Roe}

And the aforesaid Donnouk Dennis in his own proper person comes and defends the force and injury when he and pray leave thereof to Impale here until next Court and he hath it and the same day is given to the aforesaid Edward here also &c

All which said next Court to wit the Eighteenth day of November and then One thousand Seven hundred and thirty five came againe as well the aforesaid Edward Boniter by his attorney as the aforesaid Donnouk Dennis in his proper person and thereupon the said Donnouk Dennis prays further leave thereof to Impale here until next Court & he hath it and the same day is given to the aforesaid Edward here also &c

All which said next Court to wit the Sixteenth day of March and then One thousand Seven hundred and thirty five came againe the said Edward Boniter by his attorney as and prays that the aforesaid Donnouk to his declaration as may answer and the same Donnouk at the same day solemnly called to the bar and nothing thereto say in Bar or preclusion of the action as of the aforesaid Edward Boniter by which the same Edward remains against the same Donnouk that of undaunted . . . Wherefore the aforesaid Edward his damages by reason of the non performance of the promise and assumption as of the aforesaid Donnouk against the aforesaid Donnouk ought to recover and have &c. Whereupon at the prayer of the aforesaid Edward and by the consent of the same Edward the Justice here according to act of assembly in such case made and provided assessed the damages of the same Edward by reason of the non performance of the promise and assumption as beyond his look and charges by him about his suit in that part assessed to nine hundred and forty six pounds of tobacco.

Therefore it is considered by the Court here that the aforesaid Edward Boniter Recover against the aforesaid Donnouk Dennis his damages as by the Justice as in form as assessed as also

173 253 . . . pounds of tobacco for his costs and charges as the same Edward Boniter by the Court here of his cost as judged and the said debt in money &c

25th Day Scott - Somerset County. William Wye late of Somerset County Clerk was attacked by William Wye &c to answer Day Scott of a plea of trespass upon the case &c And whereupon the same Day by William Goldborough his attorney complaineth that whereas the aforesaid William Wye the twenty first Day of January in the year of our Lord God seventeen hundred and thirty four was indebted unto (the)