

August Court ----- 1735 ----- (71)  
 aged thirty five years or there about Mr. William Weatherly aged forty six years or there  
 about Mr. John Freeman aged fifty eight years or there about all being sworn on the  
 holy Evangelist of Almighty God say that they were there at the same time and agree to  
 the above deposition of Mr. Christopher Roper and further the said Alexander Lachie  
 and that the said Christopher Roper now deceased said that from this boulder one tract  
 of land went down the creek and the other up and further they say not  
 We the Subscriber two of the Commissioners in the Commission above mentioned, did meet on  
 the abovesaid land called Nuttars Adventure lying in Nutter Neck, we being first qualified  
 according to law and having Viewed and Sworn the above witness took their several depositions  
 as above specified Inter testimony whereof we have hereunto affixed our hands and seals  
 as by the Commission above we were required \_\_\_\_\_ Day Scott Seal  
 Jof. Wailes Seal

W<sup>ch</sup>. Joseph Ennalls } Somerset County  
 Richard Mithell } otherwise called Richard Mitchell of Somerset County planter  
 was Summoned to answer unto Joseph Ennalls of Dorchester  
 County Merchant of a plea that he render unto him the full and  
 just sum of thirty eight pounds current money which to him he oweth and unjustly  
 detains the <sup>same</sup> And whereupon the same Joseph by William Goldborough  
 his attorney saith that whereas the afd. Richard the thirtieth day of September in the  
 Year of our Lord God Seventeen hundred and thirty four at Somerset County afd. by his  
 certain writing obligatory had granted himself to be bound unto the afd. Joseph in the  
 afd. sum of thirty eight pounds current Money to be paid unto the same Joseph when  
 thereof afterward he should be required Nevertheless the afd. Richard altho. often required  
 the afd. thirty eight pounds current money unto the afd. Joseph hath not paid, but  
 that unto him hitherto to pay altogether hath refused and still doth refuse to the damage  
 of the same Joseph Seventy pounds current money and thereupon he brings the Suit  
 and doth bring hereinto Court the writing obligatory afd. which the debt afd. in form  
 afd. testifies the date whereof is the same day and year afd. - Bledgore In. Doc N. Noe

And the said Richard Mithell present here in Court in his proper person at the pray  
 er of the afd. Joseph Ennalls by his attorney aforesaid is adjudged to give Special bail to the  
 action afd. but for want thereof the said Richard Mithell is committed <sup>by the Court here</sup> into the custody of the  
 Sheriff of Somerset County there to remain &c. the said Sheriff to witt Joseph M. Carter Gent by  
 Francis Carter his deputy present took charge of the said Richard Mithell accordingly &c.

Whereupon the said Richard Mithell by Francis Allen his attorney Cometh and de  
 fendeth the force and Injury when &c. and saith that he cannot gain say the action aforesaid  
 of the afd. Joseph Ennalls nor can he say but that the writing obligatory afd. is the deed of the  
 same Richard Mitchell nor can he say but that he owes the afd. Joseph Ennalls the afd. thirty  
 eight pounds current money in manner and form as the afd. Joseph Ennalls above against him  
 hath declared wherefore the same Joseph prays Judgment for his debt afd. and his damages say  
 V. Tamed