

August Court .... 1795 ..... 76

Francis Otwell procheinamy  
of Elizabeth Otwell

vs John Colbourn et uxor.

Summons was given to the Sheriff of Somerset County that he should take John Colbourn late of Somerset County planter and Margaret his wife if they should be found in his Bailly: which and them should safe keep so that he might have their bodies before the Justices of his Lordships County Court of Somerset to be held at Diving Creek the third Tuesday of August then next to answer unto Elizabeth Otwell a minor under the age of twenty one year who by Francis Otwell her procheinamy proventus of plea of trespass upon the case &c and that thereof he should not fail. At which said third Tuesday of August to wit the nineteenth day of the same month and Term: one thousand seven hundred and thirty five being the day of the return of the said writ cometh the said Francis Otwell procheinamy of Elizabeth Otwell by Francis Allen his attorney and the Sheriff of Somerset County to whom the foregoing writ was directed likewise cometh and maketh the return thereof to the Court here. Endorsed in these words following viz<sup>t</sup> Capi Corpus p<sup>r</sup> J<sup>r</sup> Macclerens.

Afterwards to wit the nineteenth day of August anno Domini one thousand seven hundred and thirty five on the same day and year last mentioned at Diving Creek in Somerset County and Cometh the said John Colbourn and Margaret his wife and the said Francis Otwell procheinamy as aforesaid then and there his writ aforesaid against the said John Colbourn and Margaret his wife did not prove with effect but voluntarily permitted his suit to be discontinued. Therefore afterwards to wit that same day by direction of the Justices of his Lordships County Court of Somerset here were adjudged to the said John Colbourn

and Margaret his wife two hundred and fifty three pounds of tobacco for his costs and charges by him about his defence in that part sustained according to the form of the Statute in such case thereof lately made and provided and the said Francis Otwell procheinamy as aforesaid in memory that the said John Colbourn and Margaret his wife have their costs &c

H. Joseph McFester } Somerset County p<sup>r</sup> Donnock Dennis late of Somerset County planter at ditto

vs Donnock Dennis. Donnock Dennis Junr. was summoned to answer unto Joseph McFester Sheriff of said County of a plea that he render unto him eight thousand pounds of tobacco good sound Merchantable w<sup>t</sup> to him he owes & unjustly detains &c. And whereupon the s<sup>r</sup> Joseph by Francis Allen his attorney saith that whereas the s<sup>r</sup> Donnock the ninth day of November anno Domini: seven teen hundred & thirty four at Somersets County aforesaid within the Jurisdiction of this Court by his certain writing obligatory w<sup>t</sup> the s<sup>r</sup> Joseph with the seal of the s<sup>r</sup> Donnock signed hereinto Cometh brings the date whereof in the same day & year did acknowledge himself to be bound unto the s<sup>r</sup> Joseph in the aforesaid eight thousand pounds of tobacco to be paid to the said Joseph when he should be thereunto required by the s<sup>r</sup> Donnock the s<sup>r</sup> after required of s<sup>r</sup> eight thousand pounds of tobacco to the s<sup>r</sup> Joseph hath not rendered but the same to him hitherto to render hath denied and still doth deny and unjustly detains to the

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