

August Court 1735 (77)

Damages of the s^r Joseph of four thousand pounds of tobacco and thereupon he brings Suits &c. And the aforesaid Donnick Dennis in his own proper person cometh and defendeth the force and Injury when &c. and prays the leave thereof to imparte hereuntill next Court and he hath it and the same day is given to the aforesaid Joseph herealso &c.

All which said next Court to wit the seventeenth day of June and Dow One thousand seven hundred and thirty five came againe as well the s^r Joseph M^r Claster by his attorney as the s^r Donnick Dennis in his proper person and whereupon the said Donnick prayes further Leave thereof to imparte here untill next Court and he hath it and the same day is given to the s^r Joseph here also &c.

All which said next Court to wit the nineteenth day of August and Dow One thousand Seven hundred and thirty five came againe the said Joseph M^r Claster by his attorney as and prayes that the s^r Donnick Dennis to his declaration aforesaid may answer but the same Donnick says nothing in barr or preclusion of the action of the aforesaid Joseph by which the same Joseph cometh against the s^r Donnick thereof undefended &c.

Therefore it is considered by the Court here that the aforesaid Joseph M^r Claster recover against the aforesaid Donnick Dennis his debt aforesaid and the damages sustained by occasion of the detaining of the same debt to three hundred and Sixty One pounds of tobacco to the same Joseph by the Court here of his own adjudged and the s^r defend^{ts} in mercy &c.

The same - Somerset County s^r Stanton Atkins late of Somerset County planter ad. Dicit - s^r Stanton Atkins of Somerset County planter was Sumoned to answer unto Joseph M^r Claster Sheriff of the s^r County of a plea that hereunder unto him eight thousand pounds of tobacco good sound and merchantable wth to him he owes & unjustly detaineth &c. And whereupon the s^r Joseph by Francis Allen his attorney saith that whereas the s^r Stanton the Ninth day of November and Dow Seven teen hundred & thirty four at Somerset County aforesaid within the Jurisdiction of this Court by his certificate writing obligatory wth that s^r Joseph with wth s^r Stanton signed hereinto Court brings the date whereof is the same day & year did acknowledge himself to be bound unto the s^r Joseph in the aforesaid eight thousand pounds of tobacco to be paid unto the s^r Joseph when he should be therunto required - y^{et} the s^r Stanton this day after required the s^r eight thousand pounds of tobacco to the s^r Joseph hath not rendered but the same he hath further to render hath denied and still doth deny and unjustly detaineth the damages of the s^r Joseph of four thousand pounds of tobacco and thereupon he brings Suits &c. And the aforesaid Stanton Atkins in his own proper person cometh and defendeth the force and Injury when &c. and prays leave thereof to imparte hereuntill next Court and he hath it and the same day is given to the aforesaid Joseph herealso &c.

And the aforesaid Stanton Atkins in his own proper person cometh and defendeth the force and Injury when &c. and prays leave thereof to imparte hereuntill next Court and he hath it and the same day is given to the aforesaid Joseph herealso &c.