

March Court --- 1736 --- 16

A Copy of the foregoing Declaration was made & sent to be served on the deft with the Writ aforesaid  
At which said Third Tuesday of March to wit the fifteenth day of the same month and Year

One thousand seven hundred and thirty Six before the Justices of his Lordships County Court  
of Somerset at Durdunig Creek Cometh the said William Sandwith by his attorney aforesaid and the  
Sheriff of the same County returned that he by virtue of the writ aforesaid to him there directed he  
had taken the body of the aforesaid Ebenezer Crapper whose body he had here ready as by the writ aforesaid  
he was commanded and Likewise the same Sheriff returned here that he had served the same deft  
with a copy of the foregoing Declaration according to act of assembly in such case made & provided.

And afterwards the same day came here before the aforesaid Justices Edward Rownd of Somerset County  
Gent. in his proper person and undertook for the same Ebenezer Crapper, and affirmed upon  
himself (likewise the same Ebenezer Crapper present here in Court in his proper person affirmed  
upon himself) that if it should happen that Judgment in the plea aforesaid in the case aforesaid should be  
rendered for the same William Sandwith against him the said Ebenezer or that he the said Ebenezer  
should be thereto convicted that then he the said Ebenezer should pay and satisfy unto the aforesaid William  
the Judgment of the Court thereupon or tender his body in execution of such Judgment to the  
aforesaid Sheriff of the County aforesaid there to remain until the said Judgment be satisfied unto the same William, or  
that he the said Edward Rownd will do the same for him.

And the aforesaid Ebenezer Crapper in his proper person Cometh and defendeth the force and injury when  
it is said that he cannot deny the action aforesaid of the aforesaid William Sandwith nor but that he did not  
assume upon himself in manner and form as the aforesaid William above against him hath complained and  
as to the damage of the same William by him by occasion of the premises in that part sustained the said Ebenezer  
saith and acknowledgeth that the aforesaid William hath sustained damages by occasion of the premises  
beyond his cost and charge by him about his suit in that part appoynted to Seven pounds Curr. money of  
Maryland and not more and because the aforesaid William deny not this, but the same allegation believes to be  
true & pray Judgment and those damages above acknowledged together with his cost and charge aforesaid to  
him to be adjudged.

Therefore by consent of the parties aforesaid it is considered that the aforesaid  
William Sandwith recover against the aforesaid Ebenezer Crapper his damages aforesaid to the aforesaid Seven  
pounds Curr. money of Maryland in form aforesaid acknowledged as also three hundred and sixty  
pounds of tobacco for his cost and charges aforesaid to the same William

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at his request by the Court here of the aforesaid parties aforesaid adjudged what damages in the whole  
do amount to Seven pounds Curr. money of Maryland & three hundred and sixty  
pounds of tobacco and the aforesaid deft in Merit &c