

August Court . . . . . 1740. . . . . 11

the Judgment of the Court thereupon or tender his body in Execution of such Judgment to the prison of the sheriff of the County of . . . in Satisfaction thereof or that he the same John Schofield will do the same for him &c.

And hereupon the said Hugh Henry puts in his place Robert Jenkins Henry Gent: Attorney Att: Law against the a<sup>s</sup>: Alex: Bunckle of the a<sup>s</sup>: plea

Whereupon at the request of the parties a<sup>s</sup>: day is to them now here given untill next Court to be held at Dividing Creek the third Tuesday of March then next following in the same state as at present saving to the parties a<sup>s</sup>:

At which day here came again the parties a<sup>s</sup>: by their Attorneys a<sup>s</sup>: and hereupon the said Alex: Bunckle declared against the a<sup>s</sup>: Hugh Henry in the plea a<sup>s</sup>: in form following — Somerset s<sup>r</sup>: Hugh Henry late of Somerset County *Placet ad dictus* Hugh Henry was summoned to answer unto Alex: Bunckle of a plea that he render unto him twelve pound nine shillings and ten pence half penny current money of Maryland which to him he owes & unjustly detaineth

And Whereupon the said Alex: by Geo. Douglas his Attorney says that whereas the said Hugh on the xxw day of August Anno Dom: MDCCLXXXIX at the County a<sup>s</sup>: by his certain writing obligatory which the said Alex: sealed with the seal of the said Hugh here into Court brings whose date is the day and year a<sup>s</sup>: did acknowledge himself to owe to the said Alex: the said twelve pounds nine shillings and ten pence half penny and for the payment thereof to the said Alex: did bind himself his heirs Executors &c: by that writing obligatory never the less the said Hugh the said twelve pounds nine shillings and ten pence half penny to the said Alex: hath not rendered but that to doe hitherto hath denied and still doth deny and unjustly detain altho: thereto afterwards to wit on the first day of September in the year a<sup>s</sup>: at the County a<sup>s</sup>: and often since that time by the said Alex: required: whereupon the said Alex: says he is dammed five twenty pounds current money of Maryland & thereof he brings Suit v<sup>:o</sup>: *Proq: v<sup>:o</sup>: J: Doe R: Roe*

And the aforesaid Hugh Henry by Robert Jenkins Henry his attorney Cometh and defendeth the force and injury when &c: and prayeth leave thereof to Imparte hereuntill next Court to be held at Dividing Creek the third Tuesday of June then next following and he hath it and the same day is given to the aforesaid Alexander here also &c.

At which day here came again as well the a<sup>s</sup>: Alexander Bunckle as the a<sup>s</sup>: Hugh Henry by their Attorneys a<sup>s</sup>: and whereupon the said Hugh prays further leave thereof to Imparte here untill next Court to be held at Dividing Creek the third Tuesday of August then next following and he hath it and the same day is given to the a<sup>s</sup>: Alex: here also &c.

At which day here came again as well the a<sup>s</sup>: Alex: Bunckle as the a<sup>s</sup>: Hugh Henry by their Attorneys a<sup>s</sup>: and whereupon the said Hugh as before defends the force & injury when &c: And says that he is not Indebted to the a<sup>s</sup>: Alexander the a<sup>s</sup>: twelve pounds nine shillings and ten pence half penny or any penny thereof in form in which the said Alexander above against him hath declared and of this he puts himself upon the Country

And whereupon the aforesaid Hugh Henry Relinquisheth his verification a<sup>s</sup>: by him above pretended and saith that he cannot doay the action aforesaid, of the aforesaid Alexander nor but <sup>that</sup> the writing obligatory <sup>is the deed</sup> of him the said Hugh nor but that he oweth the same Alexander the aforesaid Twelve pounds nine shillings and ten pence half penny cur<sup>t</sup>: money of Maryland in manner and form as the aforesaid Alexander above against him hath declared

Therefore