

Therefore it is considered that the aforesaid Alexander Brumle recover against the aforesaid Hugh Kemp his debt aforesaid and his damages by occasion of the detaining of the same debt to pounds of tobacco to the same Alexander of his aforesaid by the Court here adjudged with stay of Execution until the first day of October then next following. and the aforesaid debt in money &c.

G. D. William Ellegood
ag.
vs
Rt Heber Whittingham

Command was given to the sheriffe of Somerset County that he should take Heber Whittingham Sheriff of Somerset County Inholder if he should be found in his bailiwick and him should safe keep so that he might have his body before the Justice

of his Lordships County Court of Somerset to be held at dividing Creech in the same County the third Tuesday of November Anno Domini one thousand seven hundred and thirty nine to answer unto William Ellegood of a plea of trespass upon the Case &c. and the same day is given to the aforesaid William here &c.

At which day here came the aforesaid William Ellegood by George Douglas his attorney and the sheriffe to wit John Henry Gent: nowhere returned that he had taken the aforesaid Heber Whittingham whose body here at this day he had ready to answer the aforesaid William Ellegood of the aforesaid plea as to him it was commanded. Whereupon the aforesaid Heber Whittingham at the prayer of the aforesaid William Ellegood is adjudged to give Speciall Bail to the Action aforesaid.

Whereupon came here into Court a certain Smith Horsey of Somerset County planter in his proper person and undertook for the said Heber Whittingham (likewise the said Heber Whittingham present herein Court in his proper person assumed upon himself) that if it should happen that Judgment in the plea aforesaid should be rendered for the same William against the aforesaid Heber or that he the said Heber should be therein convicted that then he the said Hugh should pay and satisfy unto the said William the Judgment of the Court thereupon or render his body in Execution of such Judgment to the prison of the Sheriffs of the County aforesaid in satisfaction thereof or that he the same Smith Horsey will do the same for him &c.

And hereupon the said Heber puts in his place Robert Jenkins Henry Gent: Attorney at Law against the aforesaid William Ellegood of the aforesaid plea.

Whereupon at the request of the parties aforesaid day is to them now here given until next Court to be held at dividing Creech the third Tuesday of March then next following in the same state as at present saving to the parties aforesaid - At which day here came again the parties aforesaid by their Attorneys