

And hereupon the said Benjamin Warrington prayeth Leave thereof to Imparle here untill next Court to be held at dividing Creek in and for the County of the third Tuesday of August then next following and he hath it and the same day is given to the ap. Benjamin here.

At which day here came again as well the ap. Benjamin Warrington by his Attorney ap. as the ap. James Townsend in his proper person — And Whereupon the said Benjamin pray that the ap. James to his declaration ap. may Answer Thereupon the said James saith that he cannot deny the Action ap. of the ap. Benjamin Warrington nor but that he did assume upon himself in manner and form as the ap. Benjamin above against him hath Complained and as to the Damage of the same Benjamin by him by Occasion of the premises in that part sustained the same James Townsend saith and Acknowledgeth that the ap. Benjamin hath sustained Damages by Occasion of the premises beyond his Costs and Charges by him about his Suit in that part appoed to Eight pounds Curr. paper money of Maryland and not more and because the ap. Benjamin deny not this but the same Allegation Grants to be true pray Judgment for those Damages above Acknowledged together with his Costs and Charges ap. to him to be Adjudged &c.

Therefore by Consent of the parties ap. it is Considered that the ap. Benjamin Warrington Recover against the ap. James Townsend his Damages ap. to the ap. eight pounds Curr. money ap. in form ap. acknowledged as also Three hundred and Eighty Seven Pounds of tobacco for his Costs and Charges ap. to the same Benjamin at his request by the Court now here, of the apent of the parties ap. Adjudged which Certain Damages in the whole amounts to eight pounds Curr. money of Maryland and Three hundred and Eighty Seven Pounds of tobacco with stay of execution untill the tenth day of November then next following and the ap. James in mercy &c.

Ed: Robert Givan Esq. of Robert Givan
Wt: John Caldwell
Command was given to the sheriffe of Somerset County that he should take John Caldwell late of Somerset County Gent. if he should be found in his bailiwick and him should safe keepe so that he might have his Body before the Justices of his Lordships County Court of Somerset to be hold at dividing Creek the third Tuesday of March Anno Domini one thousand seven hundred and forty to answer unto Robert Givan Esq. of the testament and Last will of Robert Givan of a plea of trespass upon the Case &c. At which day here came the ap. Robert Givans by George Douglas his attorney and the sheriffe to with John Stahoy Gent. now here returned that he had taken the ap. John Caldwell whose Body hereat this day he had ready to answer the ap. Robert Givans of the ap. plea as to him it was Commauded. — Whereupon