

Ed. Levin Gale Esq.

vs John Price

Command was given to the sheriſſe of Somerset County that he should take John Price late of Somerset County planter if he should be found in his bailiwick and him should safe keep so that he might have his body before the Justices of his Lordships County Court of Somerset to be held

at dividing Creek in the same County the third Tuesday of August Anno Dom one thousand seven hundred and forty to answer unto Levin Gale Esq. of a plea of trespass upon the Case &c. And the same day is given to the as. Levin here &c.

At which day here came the as. Levin Gale by Geo. Douglas his Attorney & the sheriſſe to witt John Handy Gent now here returned that he had taken the as. John Price whose body here at this day he had ready to answer the as. Levin of the as. plea as to him it was commanded And hereupon the as. Levin declared against the as. John in the plea as. in form following

Somerset s. John Price late of Somerset County planter was Attached to answer unto Levin Gale Esq. of a plea of trespass upon the Case &c.

And whereupon the said Levin by Geo. Douglas his Attorney complains that whereas the said John on the first day of August Anno Dom MDCCL at the County as. did account with the said Levin concerning sundry Sums of money by the said John Price to the said Levin before that time due and in arrears and upon that Account the said John found in arrears to the said Levin in the said sum of twelve pounds current money of Maryland and being so in arrears found afterwards to wit the day & year as. at the County as. on Consideration thereof upon himself did assume and to the said Levin then & there faithfully promise that he the said John the said twelve pounds to the said Levin when he should be afterwards there to required he would faithfully pay and content never the less the said John his promise and assumption as. in form as. made not regarding but minding and fraudulently intending the said Levin in that part craftily and subtilly to deceive and defraud the said twelve pounds to the said Levin hath not paid or him for the same in any sort hitherto afterwards to wit on the day and year as. at the County as. and often since that time by the said Levin required whereupon he says he is damaged twenty pounds current money of Maryland & thereof he brings suit

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And the as. John Price in his proper person cometh and defendeth the force and Injury when &c. and saith that he cannot deny the action as. of the as. Levin nor can he say but that he did assume upon himself in manner and form as the as. Levin Gale above against him hath complained and as to the damage of the same Levin by him by occasion of the premises in that part sustained the same John Price saith and acknowledgeth that the as. Levin hath sustained damages by occasion of the premises beyond his costs and charges by him about his suit in that part apposed to twelve pounds curr. money of Maryland and not more and because the as. Levin denies not this but the same Allegation grants to be true pray Judgment for those damages above acknowledged together with his costs & charges as. to him to be adjudged &c.

Therefore by consent of the parties as. it is considered that the as. Levin Gale recover against the as. John Price his damages as. to the as. twelve pounds curr. money of Maryland by the same John in form as. acknowledged as also Two hundred and forty Eight pounds of tobacco for his costs and charges as. to the same Levin at his request by the Court now here of the asent of the parties as. adjudged which certain damages in the whole amounts to twelve pounds curr. money of Maryland & pounds of tobacco & the as. John in Merc

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