

August Court 1740 24

Q. D. M. Capt. Henry Lewis

vs. Francis Allen Junr.

Command was given to the Sheriffs of Somerset County that he should take Francis Allen Junr. late of Somerset County planter if he should be found in his bailly wick 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 hedges in the same County the third Tuesday of March Anno Domini one thousand seven hundred and thirty nine to answer unto Henry Lewis of a plea of trespass upon the Case &c. and the same day is given to the said Henry here &c.

At which day here came the said Henry Lewis by Robert Jenckins Henry his attorney and the Sheriffs to wit John Henry Gent. now here returned that he had taken the said Francis Allen Junr. whose body here at this day he had ready to answer the said Henry Lewis of the said plea as to him it was commanded.

And hereupon the said Francis Allen Junr. puts in his place Francis Allen Senr. Gent. attorney at Law against the said Henry Lewis of the said plea.

Whereupon at the request of the parties a day is to them now here given untill the next Court to be held at dividing hedges the third Tuesday of June then next following in the same state as at present saving to the parties &c.

At which day here came againe the parties a day by their attorneys a day and hereupon the said Henry Lewis declared against the said Francis Allen Junr. in the plea a day in form following Somerset s^r. Francis Allen Junior late of Somerset County Planter was attached to answer unto Henry Lewis of a plea of trespass upon the Case &c.

And Whereupon the same Henry Lewis by Robert Jenckins Henry his attorney complains that whereas the said Francis the first day of May in the year of our Lord one thousand seven hundred thirty and nine at Somerset County was indebted to the same Henry Lewis in the Quantity of one thousand three hundred seventy and four pounds of tobacco and the sum of two pounds one shilling and three pence Curr. money of Maryland for divers goods and Merchandizes by the said Francis of the same Henry Lewis before that time bought had and received as by an Account thereof herein to Court brought may appear and so thereof indebted being the said Francis afterwards do with the same day and year a day at Somerset County a day in consideration thereof upon himself did assume and to the same Henry Lewis then and there faithfully