

March Court . . . . . 1741 . . . . . 214

Mr. Whittington Johnson D. brought up	of Contra	£ 11 6	1740/41 By Tho: Selby 20s paper money	£ 11 0 0
To knife 1/6 and 1/2 in paper money 10s	£ 11 6	April 24 by 137 1/2 bushells of Indian Corn @ 2s paper	£ 13 15 0	
To a Cap 2/6 to your wife 19s of Sum 6	on 6 6	by ballance due 6 7 1/2	£ 14 15 0	
	£ 21 2 2 1/2		£ 21 2 2 1/2	

Decem<sup>r</sup>. 23. 1741

Errors Excepted

Came Moses Challie Jun<sup>r</sup> before me the Subscriber and Moses Challie Jun<sup>r</sup>

made oath on the Holy Evangelist of Almighty God that the above Account against Whittington Johnson is just and true as it stands stated and that he hath not rec<sup>d</sup> any part or parcel thereof satisfaction or security for any part of the said debt more then he hath given Credit for in the said Account. Sworn before Jam<sup>s</sup> Martin

A copy of the foregoing declaration was made and sent to be served on the defendant in order for a speedy tryall. At which day here came the ap<sup>t</sup> Moses Challie Jun<sup>r</sup> by his Attorney ap<sup>t</sup> and the sherriffe to w<sup>th</sup> John Handy sent now here returned that he had taken the ap<sup>t</sup> Whittington Johnson whose body here at this day he had ready to answer the ap<sup>t</sup> Moses Challie of the ap<sup>t</sup> plea as to him it was Comanded and further the said sherriffe returned that he had served the ap<sup>t</sup> Whittington Johnson with a copy of the foregoing declaration according to Act of Assembly in such Case made and provided.

And the ap<sup>t</sup> Whittington Johnson in his proper person Cometh and defendeth the force and Injury when he saith that he cannot Deny the Action ap<sup>t</sup> of the ap<sup>t</sup> Moses Challie nor but that he did Assume upon himself in manner and form as the ap<sup>t</sup> Moses Challie above against him hath Complaind and as to the damage of the same Moses by him by Occasion of the premises in that part sustained the same Whittington saith and acknowledgeth that the ap<sup>t</sup> Moses hath sustained damages by Occasion of the premises beyond his Costs and Charges by him about his suit in that part apposed to six pounds seven shillings and two pence half penny Curr<sup>t</sup> money of Maryland and not more and because the ap<sup>t</sup> Moses demurr not this but the same allegation grants to be true pray Judgment for those damages above acknowledged togeth with his Costs and Charges ap<sup>t</sup> to him to be adjudged.

Therefore by Consent of the parties ap<sup>t</sup> it is Considered that the ap<sup>t</sup> Moses Challie recover against the ap<sup>t</sup> Whittington Johnson his damages ap<sup>t</sup> to the ap<sup>t</sup> six pounds seven shillings and two pence half penny Curr<sup>t</sup> money of Maryland by the same Whittington in form ap<sup>t</sup> acknowledged as also of tobacco for his Costs and Charges ap<sup>t</sup> to the same Moses at his request by the Court now here of the assent of the parties ap<sup>t</sup> and adjudged which certain damages in the whole amounts to six pounds seven shillings and two pence half penny Curr<sup>t</sup> money of Maryland and pounds of tobacco and the ap<sup>t</sup> Whittington in mercy.

