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he did assume upon himself in manner and form as the aforesaid James Martin above against him hath complained and as to the damage of the same James by him by occasion of the premises in that part sustained the same Joseph Maclester saith and acknowledged that the aforesaid James hath sustained damages by occasion of the premises beyond his costs and charges by him about his suit in that part apposed to one hundred and nine pounds ten shillings current money of Maryland and not more and because the aforesaid James deny not this but the same allegation grants to be true prays Judgment for those damages above acknowledged together with his costs and charges as to him to be adjudged &c.

Therefore by consent of the parties aforesaid it is considered that the aforesaid James Martin recover against the aforesaid Joseph Maclester his damages as to the aforesaid one hundred and nine pounds ten shillings current money of Maryland by the same Joseph in form aforesaid acknowledged as also pounds of tobacco for his cost and charges as to the same James at his request by the Court now here of the assent of the parties as adjudged which certain damages in the whole amounts to one hundred <sup>ten shillings</sup> pounds current money of Maryland and pounds of tobacco and the aforesaid Joseph in Mercy &c.

Ed. John Scarbrough

Or The Same

Command was given to the Sheriffe of Somerset County that he should take Joseph Maclester late of Somerset County Gent 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 ~~thirty~~ <sup>thirty</sup> to answer unto John Scarbrough of a plea of trespass upon the case &c. And the same day is given to the aforesaid John here &c.

At which day here came the aforesaid John Scarbrough by Geo: Douglas his Attorney and the sheriffe now here returned at the same day that he had taken the aforesaid Joseph Maclester and him detained in his prison so sick and languishin that his body here at this day he could not have &c.

Thereupon it is again Commanded the aforesaid Sheriffe that he or his under sheriffe should be before the Justices of his Lordships County Court of Somerset to be held at dividing Creek the third Tuesday of November then next following bringing with them the aforesaid Joseph Maclester whether he be in health or infirm to answer the aforesaid John Scarbrough of the aforesaid plea &c. And the same day is given to the aforesaid John Scarbrough here &c.

At which day here came again the aforesaid John Scarbrough by his Attorney aforesaid and the same sheriffe at the same day here returned that he had here ready the aforesaid Joseph Maclester to answer the aforesaid John Scarbrough of the aforesaid plea as to him it was Commanded

And hereupon the said Joseph Maclester puts in his place Robert Jenckins Henry Gent: Attorney at Law again the aforesaid John Scarbrough of the aforesaid plea

Whereupon at the request of the parties aforesaid day is to them now here given untill next Court to be held at dividing Creek in and for the County aforesaid the third Tuesday of March then next following in the same state as at present saving to the parties aforesaid &c. At which day here came again the parties aforesaid by their Attorneys aforesaid. And hereupon the said John complained against the aforesaid Joseph in the plea aforesaid in form following — Somerset s<sup>r</sup>: Joseph Maclester late of Somerset