

November Court Anno Domini 1749

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HENRY would well and truly perform every thing on his part to be performed and the said Thomas Wheeler in fact saith that after the making the said Agreement and before the issuing out of the Original writ of him the said Thomas to wit on the sixth day of September in the year of our Lord One Thousand Seven Hundred and forty Seven at Charles County aforesaid the said Thomas every thing in the said Agreement on his part to be performed, had performed, and the said Thomas in fact saith that by virtue of the said Agreement the said Henry and the said Elizabeth his Administratrix had used and enjoyed the Mill and Land aforesaid and their appurtenances for and during the term aforesaid. Nevertheless the said Henry Brewner in his Lifetime nor the said Elizabeth since the death of the said Henry for which said Elizabeth of all and singular the goods Chattels Rights and Credits which were of the said Henry at Charles County aforesaid in due form of Law was Committed not regarding the Promise Assumption and undertaking of him the said Henry in Form aforesaid made but contriving and fraudulently Intending the said Thomas in this part craftily and Subtly to deceive and defraud hath not given or paid to the said Thomas the said yearly Sum of One Thousand Pounds of Tobacco and one Barrell of Indian Corn nor any part thereof according to the True Intent and purpose of the Agreement aforesaid, nor has the said Aaron Vally and Elizabeth his Wife since their Espousals between them had and Celebrated paid or given to the said Thomas this yearly Sum of One Thousand pounds of Tobacco and one Barrell of Indian Corn nor any part thereof amounting in the whole to Four Thousand pounds of Tobacco and four Barrells of Indian Corn - Altho so to do the said Henry Brewner was in his Lifetime thereto by the said Thomas Wheeler at Charles County aforesaid Requested and the said Aaron Vally and Elizabeth his Wife since the death of the said Henry and since their Intermarriage to wit on the Tenth day of September in the year last aforesaid at Charles County aforesaid by the said Thomas were thereto Requested but altogether hitherto have and still do refuse so to do whereby the said Thomas Wheeler saith he is Injured and Damaged to the Value of Ten Thousand pounds of Tobacco and therefore he brings suit and so forth. John Doe
Pld. Et. Trin. 1749

And the aforesaid Aaron Vally & Aaron Adm^r of Brewner by Thomas Clerk their Attorney Come and defend the force and Injury pretended and prays Licence to Impale here until the next Court to be holden at Charles Town on the second Tuesday in March next and they have it and the same day is given to the same Thomas here &c. At which day to wit the second Tuesday in March aforesaid came as well the said Thomas by his atty aforesaid as the said Aaron Vally & Aaron Adm^r as aforesaid by their Attorney aforesaid and the said Aaron Vally & Aaron Adm^r as aforesaid by their Attorney aforesaid pray Licence thereof to Impale here until the next Court to be holden at Charles Town on the second Tuesday in June next and they have it and the same day is given to the same Thomas here &c. At which day to wit the second Tuesday in June aforesaid came as well the said Thomas by his atty aforesaid as the said Aaron Vally & Aaron Adm^r as aforesaid by their Attorney aforesaid and the said Aaron Vally & Aaron Adm^r as aforesaid by their Attorney aforesaid pray Licence thereof to Impale here until the next Court to be holden at Charles Town on the second Tuesday in August next and they have it and the same day is given to the same Thomas here &c. At which day to wit the second Tuesday in August aforesaid came as well the said Thomas by his atty aforesaid as the said Aaron Vally & Aaron Adm^r as aforesaid by their Attorney aforesaid and the said Aaron Vally & Aaron Adm^r as aforesaid by their Attorney aforesaid pray further Licence thereof to Impale here until the next Court to be holden at Charles Town on the second Tuesday in November next and they have it and the same day is given to the same Thomas Wheeler here &c. At which day to wit the second Tuesday in November aforesaid came as well the said Thomas by his atty aforesaid as the said Aaron Vally & Aaron Adm^r as aforesaid by their Attorney aforesaid and the said Aaron Vally & Aaron Adm^r as aforesaid by their said Attorney pray further Licence thereof to Impale here until the next Court to be holden at Charles Town on the second Tuesday