No. ~~16~~ 50

By R 279

Lancaster

Nathaniel Clark

v

David Lang &
Daniel Clark

Declon in Case

$200

Hooker & Williams

Filed Feby 10th 1815

Rule posted the same day

Ordered for Judgment

March 29th 1815

I assess the debt actually due the plff to ~~Eighty~~, ninety three Dollars —

Jno. Simpson Cl.

April 11th 1815

Atty's Costs

Writ & return Copy	£1.1.6	
Declon	1.5.0	
1 Sub Writ	.5.0	
Judt	15.0	
Regr do	1.0	
Exn	6	
	£3.13.6	= 15.75
Clks do		5.24
Shffs do		4.95
		$25.94
Assd		93.00
		118.94

Execution issued April 29th 1815

In the Common pleas

South Carolina } to wit
Lancaster District }

David Lany and Daniel Clark were attached to answer to Nathaniel Clark in a plea of trespass on the case and so forth; And whereupon the said Nathaniel by Hooker & Williams his Attornies complains that whereas they the said David and Daniel on the twentyfourth day of January in the Year of our Lord One thousand eight hundred and twelve, at Lancaster Court house, in the district and State aforesaid did make their certain Note in writing commonly called a promissory, and did then and there deliver the said Note to the said Nathaniel, their proper names being thereunto subscribed, bearing date the same day and Year aforesaid, by which said Note, they the said David and Daniel faithfully promised the said Nathaniel to pay unto him ^order the Sum of Eighty dollars on the twentyfifth day of december 1812 (next ensuing the date of the said Note) for Value received: by reason whereof, and by force of the Statute in such case made and provided, and made of force in this State, they the said David and Daniel became liable to pay to the said Nathaniel or his order the said Sum of Money in the said Note mentioned, according to the tenor and effect of the said Note: And being so liable, they the said David and Daniel ~~afterward to wit~~, in consideration thereof, Afterwards to wit, on the same day and Year aforesaid, at the place aforesaid, undertook and upon themselves did Assume, and then and there faithfully promised the said Nathaniel the said Sum of Eighty dollars to him to pay and content when they should be afterwards thereunto requested.

Yet the said David and Daniel not regarding their said several promises and assumptions in manner and form aforesaid made, but contriving and fraudulently craftily and subtilly to deceive and defraud the said Nathaniel in this behalf, the said Sum of Eighty Dollars or any part thereof to the said Nathaniel hath not paid, (although often thereunto requested afterwards to wit on the same day and Year aforesaid but the same to pay to the said Nathaniel the said David and Daniel hath hitherto wholly refused, and still do continue to refuse to pay the same, to the damage of the said Nathaniel two hundred Dollars and therefore he brings suit and so forth

Copy Note

Hooker & Williams Plffs Attys

"We or either of us do promise to pay or cause to be paid to Nathaniel Clark or
"order the sum of Eighty Dollars due the twentififth day of decem ber 1812 January
the 24 day 1812

Test Jesse Clark

(Signed)

David his X mark Lany
Daniel Clark

Lancaster
r

Elijah Clark
v
David Lang &
Daniel Clark } Judt.

Lancaster district }
Spring term 1815 }

And now at this day to wit the second monday after the fourth monday in March in the year of our Lord one thousand eight hundred and fifteen at Lancaster Court house, before the Associate Judges of the Court of Common pleas, comes the said Elijah and prays that the said David and Daniel to the Declaration of him the said Elijah may answer, and the said David & Daniel although solemnly called come not but make default, whereby the said Elijah remains thereof against them undefended. Therefore it is considered by the Court that the said Elijah ought to recover his damages by reason of the premises. but because it is unknown to the Court what those damages are, it is therefore ordered that the same be referred to the Clerk of the said Court to ascertain the sum actually due by the said David and Daniel by reason of the premises. Agreeably to an Act of the General Assembly of the said State in such case made and provided. And the said Clerk having ascertained the same, assess the damages of the said Elijah by reason of the premises, besides his costs and charges to Ninety three dollars.

Therefore it is considered by the Court that the said Elijah do recover against the said David and Daniel his damages so assessed by reason of the premises; also the sum of twenty five dollars & 94 cents ~~[illegible]~~ for his costs & charges by him expended in and prosecuting his suit in this behalf which damages costs & Charges in the whole amount to One hundred & One hundred & Eighteen Dollars 94 cents & be the said David & Daniel in mercy and so forth.

Judgement Entered & Signed April 29 1815
Jn Simpson Clerk

we or either of us do promise to pay or Cause
to be paid to Nathaniel Clark or order the
Sum of eighty Dollars due the twentififth day
of December 1819. January the 24 day 1812

Test Jeſse Clark

david his X mark laney

Daniel Clark

Daniel Lamy io
No 4

Recd

Desclou filed
Deno

Entered in my Office
12th Sept 1814

Wm J Howe SLD

438

Lancaster

Nathaniel Clarke
v
David Laney & Danl Clark

Writ in Case

$200

Hooker & Williams

(original)

P. S. the defendants
Sp 22 Sept 1814

Shff Cost $4-95

I have by my lawful deputy served the defendants with Copys of this writ with the legal notice thereon endorsed 22d Sept 1814

Wm J Howe SLD

ORIGINAL WRIT—Printed by F. M. BAXTER.

SOUTH-CAROLINA.

The State of South-Carolina.

To all and singular the Sheriffs of the ſaid State, **Greeting:**

YOU, and each of you, are hereby commanded without delay to attach the body of David Laney and Daniel Clark

Wheresoever they may be found, within your and each of your respective districts, so that you compel them to be and appear before the Associate Judges of the said State, at the Court of Common Pleas, to be holden at Lancaster Court-House on the second Monday after the fourth Monday in October next, to answer to Nathaniel Clark in a plea of trespass on the case and soforth to his damage two hundred Dollars

Jno Simpson
Clk

And have you this writ before the Clerk of the said Court, at Lancaster Court-House fifteen days next, before the sitting thereof.

WITNESS *the Honorable JOHN F. GRIMKE, Esquire, Senior Associate Judge of the said State, at* Lancaster *Court-House on the* second *Monday after the fourth Monday in* March *in the year of our Lord one thousand eight hundred and* fourteen *and in the thirty* Eighth *year of the sovereignty and independence of the United States of America.*

Hooker Williams **Plaintiff's Attorney.**