James Scott

Virdict	$85.00
Int. fr. 4 feby 1807 to 8th April 1811	24.87
	$109.87

Writ	£1"0"0
Declon	1"5"0
2 Subpœas	"10"0
Rule	2"4
Issue	1"5"0
Judgmt	"15"0
Regg do	"1"0
Virdict	"5"0
Execution	"6"0
£5"9"4 =	23.42
Sheriff	2.25
Clerk	9.37
Witn.	
James Scott	4.00
Samuel Dunlap	1.00
Cost	$40..04

63/ Lancaster Roll # 14

811 R 403

Jacob Shofner vs. Burrel Clark } Declon in assumpt

J G H Mathis Pltffs Atty

Filed August 27th 1810

Rule Posted the same day

Plea and issue

~~we find for the~~
~~Plaintiff~~
~~Benjamin Mathers~~
~~foreman~~

We find for the Plaintiff the sum of Eighty five Dollars with Interest from the 4th February 1807.

Benjamin Mathers
foreman

Judgt ent up May 20th 1811

South Carolina }
Lancaster District } To wit: Burrel Clark was Attached
to answer to Jacob Shofner in
a plea of trespass on the case, and so Forth: and whereupon the said Jacob
Shofner by J. G. Mathis his
Attorney complains that whereas the said Burrel Clark
on the Twenty fourth Day of December in the
year of our L O R D. one thousand ~~seven~~ Eight hundred and ~~ninety~~ Six at Lancaster Court house in the district and
State aforesaid, and within the jurisdiction of this court, did make his - certain Note in writing common-ly called a promissory Note, with his own proper hand ~~thereunto~~ to subscribed, bearing Date the day & year above mentioned; by which said Note, the said Burrel Clark
Did promise to pay, or cause to be paid unto the said Jacob
Shofner by the name of Jacob Shofner
or order the full and just sum of Eighty
five Dollars to be paid forty days after the date of the said
~~on or before the~~ 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~~ Burrel Clark
became liable to pay
to the said Jacob Shofner
the said sum of money
~~in the said~~ Note contained, according to the tenor and effect of ~~the~~ said note: & being so liable he
the said Burrel Clark
afterwards to wit: the same Day and year last
mentioned, at Lancaster Court house aforesaid, in consideration thereof upon himself did assume & to the said
Jacob Shofner did
then and there faithfully promised, that
he the said Burrel Clark
would well and truly pay to the said
Jacob Shofner
the said sum of Money in the said
Note mentioned, according to the tenor and effect of the said Note: Yet the said Burrel Clark
his said
promise and ~~assumption~~ aforesaid in Form aforesaid made, in nowise
regarding but contriving & fraudulently intend the said Burrel Clark
in this behalf, craftily & subtilly to Deceive & Defraud the said sum of money above mentioned, or any
part thereof to the said Jacob Shofner has
not paid although so to do, the said
Burrell Clark was
in the Seventh Day of February
in the year of our Lord one thousand ~~seven~~ Eight hundred and ~~ninety~~ Seven at Lancaster Court
house aforesaid, required by the said Jacob Shofner
but the same to the said Jacob Shofner
to pay, the said Burrel Clark
hitherto ~~al~~together refused & still
doeth - - - refuse to the damage of the said Jacob Shofner Two hundred
Dollars & therefore he - brings suit and so Forth - J G Mathis
Plffs Atty

James Scott

Virdict		$85.00
Int. fr. 4 Feb.y 1807 to 8th April 1811		24.87
		$109.87
Writ	£1"0"0	
Declon	"5"0	
2 Subp.as	"10"0	
Rule	2"4	
Issue	1"5"0	
Judgm.t	"15"0	
Reg.g do	"1"0	
Virdict	"5"0	
Execution	"6"0	
	£5"9"4 =	23.42
Sheriff		2.25
Clerk		9.37
Witt.s		
James Scott		~~3~~ 4.00
Samuel Dunlap		1.00
Cost		$40.04

63/ Roll ~~#13~~ #14

Lancaster

B11 R 403

Jacob Shofner
vs.
Burrel Clark } Declon in assumt

J. G. A. Mathis Atty

Filed August 27th 1810
Rules Posted the same day
Plea and issue

~~we find for the Plantiff~~
~~Benjamin Weathers~~
~~foreman~~

We find for the Plaintiff the sum of Eighty five Dollars with Interest from the 4th February 1807.

Benjamin Weathers
foreman

Judg.t ent.d up May 20th 1811

(Copy Note)

Forty days after date we or either of us promise to pay or cause to be paid unto Jacob Shofner or his Order the just and full sum of Eighty five Dollars for value received witness our hands this 24 day of Desember 1806-

William Horton
Burrel Clark

Filed in my office 20th
May 1811

Perry Cl.D

Satisfyd this 7th Octr
1811 Perry Cl.D

Levied on one tract of
Acres
Land Con 160 whar
on he lives this 19th
June 1811 Perry Cl.D

140/ Lancaster

Jacob Shofner
vs.
Burrel Clark } Fi. Fa. in Case
To Nov: 1811

J G Mathis
Pltffs Atty

Virdict - - -	$85.00
Int. fr. 4 Feby 1807 to 8 Apl 1811 - -	24.87
Dd	$109.87

Attorney	$23.42
Sheriff do	2.25
Clerk — do	9.37
Witn°	
James Scott	4.00
Saml. Dunlap	1.00
	40.04
	149.91

Execution $5.40.

N
Proceed

FI. FA. IN CASE, *Printed by* D. & J. J. FAUST.

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, that of the goods and chattels, houses, lands, and other heredimeents and real estates of Burrel Clark you cause to be levied the sum of one hundred and forty nine Dollars and Ninety one Cents which Jacob Shofner in the Court of Common Pleas, before the Judges of said State, at Lancaster Caurt House lately recovered against the said Burrel for the damages which he sustained as well by reason of certain promises and assumptions by the said Burrel to the said Jacob made and not performed as for his Coſts and Charges by him expended in and about prosecuting his Suit in that behalf, wherefore the said Burrel is convicted, as appears on record. And that you have the said Monies before the said Judges, at the court of Common Pleas, to be holden at Laucaster Caurthouse on the second Monday after the fourth Monday in October next, to render to the said Jacob for his Damages, Costs and Charges aforesaid. And have you there this Writ, before the Clerk of the said Court, fifteen days next before the sitting of the said Court.

WITNESS the Honorable JOHN FAUCHERAUD GRIMKE, *Eſquire, Senior Aſſociate Judge of the ſaid State, at* Laucaster Caurt House .. *the* second *Monday after the fourth Monday in* March *in the Year of our Lord one thouſand eight hundred and* Eleven *and in the* Thirty fifth *Year of the Sovereignty and Independence of the United States of America.*

Jn. Simpson Clk

J G Mathis *Plaintiff's Attorney.*

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 Burrel Clark

wheresoever he - may be found within your and each of your respective Diſtricts, so that you compel him - 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 - in and for the District of Lancaster - - on the second Monday after the fourth Monday in March - - - next, to answer to Jacob Shofner in a Plea of Trespaſs on the Case and so forth and also for certain Promises and Aſsumptions by the said Burrel to the said Jacob made and not performed to his damage Two hundred Dollars

Jn. Simpson
Clerk

And have you there this Writ, before the Clerk of the said Court, fifteen days next before the ſitting of the said Court.

WITNESS the Honorable JOHN FAUCHERAUD GRIMKE, *Eſquire, Senior Aſſociate Judge of the ſaid State, at* Lancaster Court House *the* second *Monday after the fourth Monday in* October *in the Year of our Lord one thouſand eight hundred and* Nine *and in the* Thirty fourth *Year of the Sovereignty and Independence of the United States of America.*

J. G. Mathis *Plaintiff's. Attorney.*

YOU are arreſted by Virtue of, or ſerved with this Writ or Process to the
tent that you may, by your Attorney, be and appear at the Court of Co
mon Pleas, to be holden at Court houses fo
Diſtrict, on the
Day of next, in order
to make your defence in this Action; and that in Case of your Refusal or
Neglect during the ſitting of the Court, Judgment may be entered againſt you
by Default

Plaintiff's Attorney.

I have personally served the within named Deft
with a Copy of this Writ with the legal notice there
on endorsed this 13th March 1810

Perry Clark SLD

63/ Lancaster

Jacob Shofner } Writ
vs. } in
Burrel Clark } Case
To April 1810

J. G. Mathis Atty

Filed in my office 9th
March 1810

Perry Clark SLD

Sheriff fees on service
& Milage — $2.25

forty Days after Date =

= Whe or aether of us Promis to
Pay or Cause to be payd unto Jacob
Shofner or his orders tha just and
full Sum of Eighty five Dollers
for vellend received witneſs our hands
this 24 Day of Desember 1806

William Horton
Barrel Clark

Horton & Clakes

Note $85—

iſsued 19th Sepr

1807—

Decd Do—

pr Feby 20th—

1808

STATE OF SOUTH-CAROLINA.

TO James Scott

BY Virtue of a Writ of Subpœna to you directed, and herewith ſhewn to you, you are required to be and appear, perſonally, before the Aſſociate Judges of the Court of Common Pleas of the said State, at the Court of Common Pleas, to be holden for Lancaster diſtrict, at Lancaster Court house on the Sixth ~~Monday after the fourth Monday in~~ day of November next, to teſtify the Truth, according to your knowledge, in a certain Cause now there depending, and ~~to be tried~~, between Jacob Shofner

Plaintiff, and Burrel Clark

Defendant, on the part and behalf of the said Plaintiff

Hereof fail not, on pain of the forfeiture of Ten Pounds Proclamation Money, as well as the consequences that may fall thereon.

Dated at Lancasterville *the* 26th *day*

of October — *Anno Domini,* 1810

J G Mathis

Pltffs ~~Atty~~

South Carolina } Personally appeared
Lancaster District } James Scott and maketh

Oath and Sayth that he Attended one Day as wittness on the within Case and farther Sayth not

James Scott

Sworn November 7th 1810
Before Wm Currey J.Q.

1
2
3
6

To James Scott

STATE OF SOUTH-CAROLINA.

TO ~~John~~ James Scott.

BY Virtue of a Writ of Subpœna to you directed, and herewith ſhewn to you, you are required to be and appear, personally, before the Aſſociate Judges of the Court of Common Pleas of the said State, at the Court of Common Pleas, to be holden for Lancaster — diſtrict, at Lancaster Court House on the Ninth ~~Monday after the fourth Monday in~~ day of April next, to teſtify the Truth, according to your knowledge, in a certain Cause now there depending, and to be tried, between Jacob Shoffner.

Plaintiff, and Burrell Clarke.

Defendant, on the part and behalf of the said Plaintiff

Hereof fail not, on pain of the forſeiture of Ten Pounds Proclamation Money, as well as the consequences that may fall thereon.

Dated at Lancasterville *the* Tenth *day*

of March *Anno Domini,* 1811.

J G Mathis

Plffs Atty

South Carolina } personally appeared before
Lancaster District } me James Scott and being
Sworn as the law Directs sayeth that
he attended three Days on the Within
Case Sworn to this 12 Day of Aprile 1811
L H Hudson J P
Jas. Scott

James Scott

THEREFORE it is commanded, that the ſheriff of Lancaster diſtrict do ſummon forty-eight good and lawful men, to be drawn by ballot, according to the directions of the acts of the general aſſembly of the ſaid ſtate, in ſuch caſe made and provided, 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 March — next, by whom, and ſo forth; and who neither, and ſo forth; to recognize, and ſo forth; becauſe as well, and ſo forth; and the ſame day is given to the parties aforeſaid, there, &c.

And afterwards, that is to ſay, on the day and year laſt above mentioned, at the place aforeſaid, before the Judges aforeſaid, come the parties aforeſaid, by their reſpective attornies aforeſaid; and the jurors aforeſaid, being demanded, ſome of them, to wit, Benjamin Weathers Foreman John Johnson, James Croxton, John Barden, Churchwell Anderson, William Robinson, William Taylor Jacob Kern, James Ramsay, Josiah Price William Woods, & John Scarborough come, and being drawn by ballot, according to the directions of the ſaid acts of the general aſſembly aforeſaid, and ſworn, of the jury aforeſaid, to ſay the truth of the matters within contained, do on their oath ſay, that Burrel Clark did promise and assume in manner and form as the ſaid Jacob Shofner above, in his declaration has alledged againſt him and they aſſeſs the damages of the ſaid Jacob — — — — — — by reaſon of the Non performance of the said promise and assumption to One hundred and Nine Dollars and eighty seven cents Whereupon the ſaid Jacob Shofner prays that the ſaid damages, together with his coſts and charges, by him in and about his ſuit in this behalf expended, may be awarded to One hundred and Nine Dollars and eighty seven Cents Therefore, it is conſidered, that the ſaid Jacob Shoffner do recover againſt the ſaid Burrel Clark the damages ſo found by the jurors aforeſaid; and alſo Forty Dollars and four cents for his coſts and charges aforeſaid, which damages, coſts and charges, in the whole, amount to One hundred and forty Nine Dollars and Ninety one Cents to the ſaid Jacob Shofner now here with his aſſent adjudged, and the ſaid be the said Burrel Clark by the ſaid court, in mercy, and ſo forth.

[POSTEA AND JUDGMENT ON ISSUE TRIED.]

Judgment entered up and signed May 20th 1811.
J. S. Jn Simpson Clerk

Jacob Shofner } Postea

vs. } &

Burrel Clark } Judg^t

J G Mathis

Plffs Atty