Confession $102—
Int & Cost
1828 ——
Atty $12—
Ck 5— $17—
$119—

Roll 10—
Lincoln Cir
B16R #91
James Westbrooks

vs.

Nathaniel Barnett

Clinton
Ps Atty

I confess judgment in
the above case for One
Hundred & two Dollars
October 2nd 1828
Nathl Barnett

Recorded
Rec'd to print Jan'y
1829. James Westbrooks

Ind. Entd upon Cor
June 23 Nov. 1828

State of Pennsylvania }
Lancaster District } ss

Nathl Bennett was attached to answer to James Westbrooke
of a plea of trespass on the case &c. to the Court, wherein the
said James by Clinton his attorney complains, & for that
the said Nathl on the first day of October in the year
of our Lord one thousand eight hundred & twenty eight
at Lancaster County aforesaid, in the State & district aforesaid
made his certain note in writing of that date, by which
one day after the date thereof, the said Nathl promised to pay the
said James on demand two dollars, for value rec
eived as therein is made and provided, & of force in this State, the said
Nathl became liable to pay to the said James, the said
sum of money in the note mentioned, and being so liable
in consideration thereof, afterwards, to wit, on the day &
year last mentioned, the said Nathl did then there
promise, that he would well & truly pay to the said James
the said sum of money, when he should
afterwards be requested — Yet although
the said Nathl the said sum of money, or any part
thereof, hath not paid, but to pay the same hath wholly
refused, & still refuses, to the damage of the said
James two thousand dollars, whereupon the bringeth suit

Clinton

Ba! Westbrook

v

Nath Barnett

Judgt

Election

Writ. 4 00
Decl. 3 00
C & Jud 3 00
12 00

JUDG. ON WRIT OF ENQ. DAMAG. ASS'D. BY CLERK.—CAMDEN PRESS.

Fall Term, 1828

AND now at this day, to wit, the fourth Monday after the fourth Monday in October in the year of our Lord one thousand eight hunderd and twenty Eight comes the said James

the Plaintiff by his Attorney aforesaid, and prays that the said Nathaniel Barnett the Defendant, to the declaration of him the said Plaintiff may answer; and the said Defendant being solemnly called, comes ~~not, but make default, whereby the said Plaintiff remain thereof against~~ undefended. Wherefore it is considered by the Court now here, that the said Plaintiff ought to recover against the said Defendant the damages by sustained 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 Defendant to the said Plaintiff pursuant to the direction of the Act of the General Assembly of the said State, in such case made and provided; and the said *Clerk* thereupon having ascertained the same, and *assessed* the *Damages* of the said Plaintiff by reason of the premises; besides costs and charges by ~~expended in and about prosecuting~~ ~~suit in this behalf, to~~ & says he cannot deny the cause of action of the Plaintiff nor but that he did promise & &c hath alledged & that by reason of the non performance thereof he hath sustained damages to the amt of one hundred & two dollars with Int from 2d Oct. 1828—

Therefore, it is considered by the Court now here, that the said Plaintiff do recover against the said Defendant the damages so ~~ascertained and assessed as aforesaid; and also~~ & confession as aforesaid, also the sum of Seventeen Dollars & Cents for his costs and charges aforesaid, to him by the Court now here, with his assent adjudged; which said damages, costs and charges, in the whole amount to One hundred & seventeen Dollars and be the said defendant in mercy, and so forth.

Sept Term 1828 Fee Bill Sent to Clerk

~~McCabe~~

James Westbrook

vs

Nathaniel Barnett

I accept the service
of this writ to fall
Term 1828.
Nathl Barnett

State of South Carolina
Lancaster District } ss

To any Constable of the said State greeting
You each of you are hereby commanded to attach and take
and attach the body of Nathl Barnett, wherever he may
be found, within your respective Districts, so that you
have the body of the said Nathl Barnett before
the Justices of our Court of common pleas, to be holden at Lancaster
Court House, in and for the District of Lancaster, on the first
Monday after the fourth Monday in October next
to answer to James Braybrooks of a plea of trespass
on the case and dispossession, also for certain promises
and assumptions by the said Nathl to the said James
made, and not performed, to the damage of the said
James two hundred dollars, And have you
then and there this writ. And what you
shall do in the premises, make known to the said Court, at the same
time. Witness John McKinzie Esquire, Clerk of the Court of Pleas
and common pleas for Lancaster District, the first
day of October in the year of our Lord one thousand eight
hundred and twenty eight, and in the fifty third year of the Declaration
of the Independence of the United States of America, Edmd Pressley

One day after date I promise to pay
James Westbrooks or bearer One Hundred
Three Dollars for Value Rec'd 1st Oct'r 1828
Nathel Barnett