

996.5.2

[OBVERSE]

In the Gore District Court

Abraham Beach Plaintiff

VS.

Plumer Barley Defendant

Filed 22.March 1830

Served 18th March

DECLARATION AND SUMMONS

William Notman,

Plaintiff's Att'y.

Abraham Beach}

VS IN THE GORE DISTRICT COURT

Plumer Barley}

John Ryckman, Deputy Sheriff
of the Town of *Hamilton* in the Gore District, maketh Oath, and, saith, that he did
personally serve the above named Defendant with a true copy of the with-in in Declaration,
Summons and Notice, on the *Eighteenth* day of *March* one thousand eight hundred and *thirty*
and necessarily travelled _____ Miles, to make such service.

Sworn before me, at *Hamilton* – in the
Gore District, this *twentysecond* day of *March* 1830
John Law Server

Mr. J. Ryckman

[REVERSE]

Seal G[?]

Upper Canada} George the Fourth, by the Grace of GOD, of the United Kingdom of Great
Gore District} Britain, and Ireland, King, Defender of the Faith.

[?]

To the Sheriff of the Gore District: **Greeting:**
We Command you, that you Summon

~Plumer Burley~

to appear, either in person or by Attorney, at our District Court, to be holden at the Court House in the Town of *Hamilton* in the said District, on *Monday* the *twenty ninth* day of *March* next ensuing, to answer the complaint of ~

~Abraham Beach~

in a Plea of Trespass on the case upon promises. **For that Whereas**, the said Defendant on the *first* day of *March* in the year of our Lord one thousand eight hundred and *thirty* at *Hamilton* in the said District, was indebted to the said Plaintiff in the sum of *Ten* Pounds of lawful money of Upper Canada, for the work and lab=or, care and diligence, of the said Plaintiff by *him* the said Plaintiff before that time done, per=formed, and bestowed, in and about the business of the said Defendant and for the said Defendant and at *his* special instance and request; and also, in the further sum of *Ten* Pounds of like lawful money, for divers materials, and other necessary things, by the said Plaintiff before that time found and provided, and used and applied, in and about the said work and for the said Defendant and at *his* request; and also, in the further sum of *Ten* Pounds of like lawful money, for divers goods wares, and merchandize by the said Plaintiff before that time sold and delivered to the said Defendant and at *his* like request; and also, in the further sum of *Ten* Pounds of the law=ful money, for money by the said Plaintiff before that time lent and advanced to, and paid, laid out and expended for the said Defendant and at *his* like request; and also, in the further sum of *Ten* Pounds of like lawful money, for other money by the said Defendant before that time had and received, to and for the use of the said Plaintiff; and also, in the further sum of *Ten* Pounds of like lawful money, for meat, drink, washing, lodging, and other necessities, by the said Plaintiff before that time found and provided for the said Defendant and at *his* like request; and also, in the further sum of *Ten* Pounds of like lawful money, on an account on the day and year aforesaid, dated and settled between the said Plaintiff and the said Defendant; and being so indebted, *he* the said Defendant then and there undertook and promised the said Plaintiff to pay *him* the said several sums of money in this Court mentioned, when *he* should be thereto afterwards requested. Yet the said Defendant although often requested to do so, *hath* hitherto wholly neglected and refused, and still *doth* neglect and refuse to pay the said several sums of money above mentioned, or any part thereof, to the said Plaintiff as *he* says to *his* damage of *Fifteen* pounds, and therefore *he* brings *his* – suit, Etc.

Witness, Thomas Taylor Esquire, Judge of our said District Court, at *Hamilton* in the said District, this *Second* day of *January* in the year of our Lord one thousand eight hundred and *thirty* and *in the tenth year* of our Reign,

Wm Notman

John Saw

Plaintiff's Attorney

Chief of *the Gore* District Court

TO *Plumer Burley*

Take notice, that you appear and plead to the above Declaration within three days after the return thereof, judgement by default will be signed against you, and damages assessed by a Jury of the Country, on *Tuesday* the *Thirteenth* day of *April* – next ensuing, at the Court House in the Town of *Hamilton*

Yours Etc.

Wm Notman

Plaintiff's Attorney