

Liber
P. C. R.
Salter v.
Sowth

To the hon^{bte} the Gou^e & Councill

The humble Petⁿ of Thomas Sowth Sheweth.

That whereas att a Court holden the 20th of July last, in & for the County of Kent, John Salter commenced suite agst yo^r Pet^r for a certaine Plantaōn called Beauer neck, W^{ch} Plantaōn being of a ualue wth in the Cognizance of th^t Court, was iudged, to the s^d Demandant agst yo^r Pet^r, Whereuppon the s^d Demandant praying Cost of suite & dammages to the ualue of 11000^t Tob. The s^d Court proceeded to Judge 5444^t of Tob to the s^d Demand^t for w^{ch} summe they haue awarded Exequuōn. Now soe it is, that the s^d Commis^{rs} intermedling wth a Cause to a valew not wth in their Cognizance, Yo^r Pet^r humbly conceaues the plea for dammages was held Coram non Iudice, & craues leaue to assigne that as an Error in Judgm^t, And th^t yo^r Pet^r as to the Costs & dammages may haue a rehearing & th^t his goods in Exequuōn taken may bee to him restored, uppon security to see them forth comming uppon the finall Determinaōn of the Cause betweene us depending & yo^r Pet^r shall pray &c:

Whereuppon the Court considered the Error assigned, & order th^t the sayd damages be heard & determined the next Prouinciall Court to be held att Patux^t, & th^t the Sheriffe see all the goods by him in Exequuōn taken, to be restored to the s^d Thomas Sowth till a finall determinaōn of the Cause by the s^d Court.

Vid. fol. 214
Vid. fol. 261

This day Came Co[#] Nathaniel Vtye & acknowledged himselfe to stand indebted to the L^d Proprietary in the summe of Ten Thowsand pounds of good sownd Merchantable Tob. if Thomas Sowth shall not yeald up into the hands of the Sheriffe of Kent, all such goods, as hee shall from the s^d Sheriffe receaue, by Vertue of the foregoeing Order. In case Judgm^t be gyuen agst him, uppon his Writt of Error for the whole dammage demanded, or soe much as shall satisfy the Judgm^t by this Court to bee gyuen in case they find the damages not soe great, as is alleaged.

p. 126

Giles Glover
v. Richard
True

The p^{tf} (per Attornat George Thompson) complayneth agst the dēft, ffor th^t the dēft sould unto the p^{tf} a Plantaōn & Land But hath not according to Couen^t deliuered a Pattent of the s^d Plantaōn or Land, Whereby his Tytle to the same, is noe wayes assured, And it appearing by the Couen^t shewen in Court, that there was a bargaine made betwixt the p^{tf} & the deft, But the Consideraōn not cleared, uppon w^{ch} the s^d Bargaine be claymed, w^{ch} might perhaps bee by way of illusion or fraud in eyther party. It is therefore Ordered th^t this Cause bee sent downe to the County Court, in Charles County (where both p^eties were residing att the making of the s^d Couen^t) to examine Wittnesses & heare the Case, & Report the State of the same, to the next Prouinciall Court.