

Jerome White plaintiffe Mary smyth the Executx : of W ^m smyth defendant W ^m Caluert p̄ quer̄ Jn ^o Morecroft p̄ defend ^t	}	The p̄t sues the defend ^t as Executrix of William smyth late of S ^t Marys County dec ^d in a plea of tresspass upon the Case, it being upon a sealed Bond of twenty Thowsand pounds of tobacco without the hand of the said W ^m Smyth thereunto	Liber FF
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The defend^t for plea demurrs to the plaintiffes declarac̄on in these words following (uizt)

And the said Mary by John Morecroft her Attorney doth come and defend the force and Injury when &^c: And the said Mary saith that the Declarac̄on of him the said Jerome is not sufficient in law to be answered unto, neither is she bound by the law of the land to answer thereunto and this she is ready to auerr Wherfore for want of a sufficient declarac̄on the said Mary Craueth Judgment if the said Jerome White &^c

John Morecroft

The Plaintiff Joyneth in demurrer
 With Calvert

The Court hauing ueiued all papers, their Judgm^t is that the said Declarac̄on is insufficient in law to be answered thereunto whereupon the p̄t being Ouer rull'd in his demurrer, The Court doth grant the defend^t a nonsuite ags^t the p̄t with Cost and Charge

The plaintiff Jerome white Esq̄ desires that the aforegoing Bond [p. 547] may be prou'd in Court by the Oath of Edward Sauage one of the witnesses thereunto, the other Wittness being departed the prouince by name Humphery Yates, wherupon the said Sauage being sworne, it was askt him whose seale the second seale was without any name to it, he answered it was M^r Jenifers seale, being askt wether the Bond was read to Will^m Smyth he answered that he did not remember it was further askt wether he see Georg Richardson deliuer that as his Act & deed he answered yes, and wether he see W^m Smyth deliuer the said Bond as his Act and deed, he said as well as he could remember he did but would not sweare (hee said) possitiuely that he did

Mary smyth the Executrix of W ^m smyth plaintiffe Jerome white Esq̄ one of the Justices defendant Morecroft p̄ quer̄ Caluert p̄ defendant	}	The p̄t sues the defend ^t in a plea that he render unto her One thowsand Nine hundred and fifty pounds of tobacco and fue and twenty shillings and Six pence of lawfull money which he unjustly de- taineth & ^c : The defend ^{ts} puts the p̄t to proue her accompt which was done by William Fardel her Book keeper and allowed of by the Court to be duely prou'd, Whereupon they granted the p̄t Judgm ^t against the defend ^t for her said debt of One Thowsand Nine hundred and fifty pounds of tobacco and fue & twenty shillings six pence sterling mony w th Cost and Charge therein
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