

14. 1690

(168)

The whole proceedings of the Court in the said Cause referred to the Court
The Court found it to be no cause of action. *Wm. Doublts sworn for pl. 13. days.*

Elizabeth Sims formerly Orphan to Cap. Samuel. Shewell. is now Orphan by the Court to her Sister
Mary Sims with her Estate.

ORCANCE. *Crawford. Pet.* } Somerset County sh. Jonathan Toward of that County Cooper was
agst. *Towers. Def.* } summoned to answer unto M. Lawrence Crawford of the same County,
Sunt. in a plea of trespass upon the Case
And whereupon the pl. by James. Sawyer his Attorney Comband sayes
that in John. Shulls lats of that County trespass and trespass to the pl. die

a Certain Plantation called Howport pannel, on certain debits between the sd defend and the said
to trespass, where it was concluded and agreed that what hoggs was or should be raised upon the said
allion by the defend, should run in a joynt stock between them and at the expiration of four years
equally shared, how the said pl. by his informants with the pl. and dem. of the sd State hath
what hoggs did give him an account of but the said pl. doth find, and was in Court by Evidence
that it appear that the sd Jonathan defend hath constantly and carefully sold and disposed of
hoggs, to vizt one sow & four Barrows and for them hath recd satisfaction, without the knowledge
it of the pl. with a firm and settled purpose to defraud the pl. of the same. wherefor the pl. sayes
damaged and hath lost to the value of sixtyn hundred pounds of Tobacco and thereupon prynced
it *Sawyer p. Res. pl. do p. vid. { Co. Do. } Jones Attorney p. Def.*

Declaration being read, and Issues joyned, the matter being referred to a Jury, where Jury was legally
impaneled and duly sworn, whose names are as followz. Vizt. John. Dozman, Wm. Robinson
i. Down. Alexander. Thomas. Mobs. Hamilton. Robert. Leth. Ralph. Milbourn. Samuel. Shewell. John
William. Dozman. Matthew. Starbroug. Thomas. Oxford. who having the whole matter rightly and good
heard four Evidence sworn for the pl. having recd their Charges good forze and they being
sd do being in their following verdict. Vizt. The Jurors do find for the pl. Damaged four hundred
of Tobacco with Cost of suit. Given in by. John. Dozman. foreman. OTR. to enter by writ
Decr. 17. days pay to Anthony Bond, being an Evidence for Lawrence Crawford pl. agst. Jonathan. Toward
Decr. 25. days to David Layday upon dille for allowance } these 3 orders granted wout Estion
Decr. 14. days to Griffin Morris upon dille for allowance. } Sworn to by all 3.

Decr. 17. days pay to Anthony Bond, being an Evidence for Lawrence Crawford pl. agst. Jonathan. Toward
Decr. 25. days to David Layday upon dille for allowance } these 3 orders granted wout Estion
Decr. 14. days to Griffin Morris upon dille for allowance. } Sworn to by all 3.

The Court of Somerset County Court, the humble Petition of William. Swivels. humbly sheweth
whereas John. Jones of that County was possessed by way of donum with the Orphan and Estate of Thomas
of that County trespass and the sd Jones having lately absconded and fled out of that County and
is before his going away did leave the said Orphan in your petitioners possession, with request to you
that he would endeavour to have the said Orphan to read with your petitioners children, and your
understanding that John. Carr of that County was married the Heir of the said Profit, notwithstanding
support him self of his wifes right of the said lands doth and will endeavour to draw the sd Orphan
in your names, therefore your petitioners humbly request that he may have the Guardianship of the sd Orphan