

15. 1690

(174)

Cap: Henry: Smith. p[er]t.  
Michael: Holland. def[er]

Issue joyned. Declaration Read viz  
Somerset County fr. Michael: Holland of the County  
of Somerset and Sheriff of Maryland Maryland  
was summoned to answer unto Cap: Henry: Smith of the

County of Somerset and Sheriff of the County of a plea that he owed unto him the full and just sum of two  
hundred pounds sterling money of England which to him he owed and unjustly detoured  
whereupon the said Henry by Peter Paul his Attorney saith that the said Michael the 13<sup>th</sup> day of March in the  
fourth year 1689 at Monroan within the Jurisdiction of that Court by his Certain Bond and Obligation which the  
said Henry with the seal of the said Michael signed bringeth into Court, the date whereof is the day and year  
said and he acknowledged himself to be bound to the said Henry in the said full and just sum of two hundred pounds  
sterling money of England to be paid to the said Henry upon demand, to the which payment well and truly to be  
the said Michael bound himself firmly by the said Bill. Now the said Michael the said sum of  
two hundred pounds sterling although of him demanded the same, to the said Henry hath not answered but hath  
detoured and doth still deny to the damage of the said Henry of two hundred and fifty pounds sterling and  
bringeth his suite on Peter Paul his Attorney. John: Doz  
Liz: Doz

Pl[ea] in Defense and of the fact and injury and saith that  
there is a certain Bond for two hundred pounds sterling money with a Condition there  
unto annexed, but the ple[ad] doth not declare for any Bond with a Condition thereunto annexed  
and this is given in Deff[er]. J. S.

And the said Henry by Peter Paul saith that he hath declared for a Certain Bond to be here  
in Court produced, which is here ready, and that his prayers may be required by the Court. Peter

The whole matter being wholly referred to a Jury of twelve good and lawfull men, who were legally  
impanelled and duly sworn whose names are as followeth (viz) John: Doz man. William: Robinson  
John: Brown. Alexander: Thomas. Moses: Hamilton. Robert: Bell. Ralph: Milbourn. Samuel: Shrook  
John: Carr. William: Doz man. Thomas: Oxford. William: Plummer. who having viewed the  
Bonds and papers and all the Evidence sworn, having returned their Charge good for the said sum  
the same. And being returned do bring in the following verdict (viz) That the  
Jury find no Cause of action. Given in by John: Doz man.  
all Scarborough sworn for ple[ad] dille in Henry: Smith

M: Strawbridge p[er]t. Somerset fr. Andrew Whittington Junior was summoned to answer unto M: Francis  
Whittington. def[er] in a plea of trespass on the case. The ple[ad] declared by him self that in January  
12<sup>th</sup> 1687. he recovered three several actions agt William Bamber which amounted  
to 2646<sup>th</sup> of tobacco as by Bill of Costs appear, so it is may it please your  
Honour judgment was given agt Bamber on the behalf of the ple[ad]. That the same day and hour Andrew Whittington  
before the face of the Court, and did then and there promise and assure to pay the ple[ad] the said tobacco, but the said  
Whittington hath fraudulently & deceitfully received the same though often required and demanded by the ple[ad] where  
upon against the said Andrew Whittington, and the said ple[ad] saith that he is compelled to the value or sum of 5292<sup>th</sup>  
tobacco and therefore humbly prayeth that judgment may be entered and granted accordingly.  
Pl[ea]. It was a conditionall assumption the defendant made in Court if he should receive. Ja: Smith

to the Court // ...