

James Keech plantiffe: Thomas Withington Defendant

Prince Georges County Court. Thomas Withington late of Prince Georges County Maryner was Attached to Answer unto James Keech gentleman of a plea of trespass upon the Case etc.

And whereupon the Said James Keech by James Cranford his Attorney Complayneth that whereas the Said James Keetch upon the 20th day of May 1695 was lawfully possessed of two Casque Commonly Called hogsheads Containing one thowsand pounds of tobaccoe as of his owne proper goods being marked with the proper marke of him the Said James Keech and being Soe thereof possessed the Said James the Said two hogsheads of tobaccoe out of his hands and possession the day and yeare aforesaid did Casually Loose Which Said two hogsheads of tobbacoe Afterwards that is to Say the fourth day of July in the yeare aforesaid to the hands and possession of the Said Thomas Withington by finding Came and the Said Thomas knowing the Said two hogsheads of tobaccoe to be the proper goods of him the Said James Keech and to him of Right to belong and Appeteyne the Said Thomas the Said two hogsheads of tobaccoe to the Said James hath not delivered or any wayes Content for the Same given Although hee hath been often thereunto Required But the Said two hogsheads of tobaccoe Afterwards that is [171] To Say the tenth day of July in the yeare afforesaid at Charles Towne within the Jurisdiction of this Court to his owne use hath Converted and disposed to the Dammage of the Said Plantiffe of 2000 pounds of tobaccoe And thereupon he brings his Suite.

James Cranford for the Plantiffe. Pledges etc. John Doe, Richard Roe.

And the Said Thomas Withington by William Stone his Attorney Cometh and defendeth the force and Injury when etc. and prayeth leave thereof to Imparle here untill the next Court and it is granted unto him the Same day is given to the plantiffe alsoe.

At which Said next Court (to witt) the 22d day of June Annoque Domini 1697 Came the aforesaid parties by their attorneys aforesaid and the Said James Keetch prayeth that the Said Thomas Withington to his Decleration aforesaid may Answer etc.

And the Said Thomas Withington by William Stone his Attorney Cometh and Defendeth the force and Injury when etc. and that the Said Thomas Withington is not guilty in manner and forme as the plantiffe in his decleration aforesaid hath Complayned and of this he puts himselfe upon the Country. William Stone.

And the plantiffe alsoe. James Cranford.

Therefore it is Commanded the Sheriffe that without delay he Cause to Come here twelve etc. by whome etc. and who neither etc. to Recognize etc. because as well etc. And now here at this day Came as well the Said James Keech as the Said Thomas Withington by their Attorneys aforesaid and the Jurors thereon Impanelled being Called Likewise Came (Viz.):

James Stoddart, forman, Hugh Riley, John Browne, John Cozens, William Selby, William Jones, James Moore, Edward Willett, Francis Marbery, William Rothery, John Chittam, Joseph West. Summoned per Thomas Greenfeild, Sheriffe.

Who to Speake the truth Concerning the premises being Elected tryed and Sworne doe Say upon their oaths that they find for the plantiffe Eleven hundred pounds of tobaccoe Damages.

Therefore It is Considered that the Said James Keech Recover against the