

And now here att this day came as well the Said James Brooke and offered himself against the Said David Small of the Plea aforesaid and the Said David Small being called likewise came etc. and the Sheriffe returneth that he hath by good and Lawfull men etc. made Knowne to the Said David Small of his being here to Shew Cause etc. The Defendant appears and Imparles till the Next Court Comeing and At this Court Demurrs to the Said Scire facias upon Examination of the matter twas found that the Cause of Demurrer was that the clerke had not Ishued out the writt of Scire facias aright.

Therefore it was Considered that the Said writt be Quassed and that the Said administrator goe thereof without Day and that the Said Clark for his Default pay all Costs and Damages accrewing thereby.

Alexander Magruder Plaintiff: Treacys Administrator Deffendant

It was Comanded the Shreefe that whereas there is Due to Alexander Magruder from David Small Administrator of all and Singular the goods Chattles and Creditts of Charles Treacy Deceased the Sume of four thousand Eight Hundred and ninety pounds of Tobacco by a Judgement obtained against the Said Charles in March Court in the year of our Lord 1697 and for Execution hath not Ishued out against the Said Charles Treacy in his Lifetime nor against the Said David Small administrator as aforesaid for the Same he make Knowne to the Said David Small that he bee and appear before the Justices of Prince Georges County Court att Charles Towne the 4th Tuesday in November 1698 to Shew Cause etc. why the Said Alexander Magruder Execution for the Debt aforesaid should not have etc. and that he had then and there the Said writt: etc. And now here at this Day came as well the Said Alexander Magruder and offered himself against the Said David Small of the Plea aforesaid and the Said David Small being Called like wise came etc. and the Sheriff returneth that he hath by good and Lawfull men etc. made Knowne to the Said David Small of his being here to Shew Cause etc.

The Defendant appears and Imparles to the Plaintiffs action and at this Court Demurs to the Same upon the Sequall of the Matter twas found that the Cause of Demurr was an omission of the Clark in not Ishueing the writt of Scire facias aright.

Therefore it was Considered that the writt of Scire facias be Quast and that the Clark Pay all Costs and Damages acrewing thereby.

Gabriell Burnam Plaintiff: James Moor Defendant

James Moor Late of Prince Georges County Planter was Atteached to answer unto Gabriell Burnam of a Plea of tresspass upon the Case etc.

And whereupon the Said Gabriell by Joshua Cecell his Attorney Compleineth that whereas the Said James the first day of Aprill in the year of our Lord 1697 att Charles Towne within the Jurisdiction of this Court Stood indebted unto the Said Gabriell in the Sume of two Thousand and Twenty pounds of Tobacco and Nine Shillings and Six pence Sterling as by a Peticular account thereof hereunto annexed relation being thereunto had may more att Large appear and the Said James to the Said Gabriell being soe indebted in Consideration thereof did assume upon himselfe and to the Said Gabriell then and there Faithfully promise that he the Said James the Said Sume of 2020 pounds of Tobacco and nine Shillings and Sixpence Sterling when hee Should bee thereunto requested unto the Said Gabriell would well and truly content and Pay