

The Pleadeings of Boath Parties by the Court being read Seen and Fully understood it is Considered that the Demurrer be Squasht and that the Scire facias be good.

It is further Considered that the Said Allexander Magruder Plantiff recover against the Said David Small administrator of Charles Treacy Deceased as well the Sume of four Thousand Eight hundred and Ninety pounds of Tobacco his Debt and Damages aforesaid as also the Sume of five hundred fifety and Six pounds of Tobacco for his Additionall Costs and Charges of Suite to the Said Allexander Magruder of his assent by the Court here adjudged out of the Goods and Chattles whereof Charles Treacy att the time of his Death in the hands of the Said David Small to be administred if he hath Soe much thereof in his hands to be administred etc. and the Said David Small in Mercy.

Elizabeth Scott Widdow prays that a Red and White cow with a Starr in the Forehead and a Calfe and a 4 year old heifer they and their increase may be put upon Record for her Daughter Mary Scott that markt with a Crap and an upper Keel on the right and a Crap and under Keel on the Left.

[469] Bartholomew Goff, William Willeby and Menasses Potter was Sworne in the behalfe of his Majestie against Thomas Oates.

James Brooke Sworne to the best of his Knowledge for Thomas Oates against his Majestie.

Ordered that Col. Thomas Hollyday by the first oppertunity Send for those Law bookes the new Laws makes mention off and that the Clarke give him an account what bookes they are at the breakeing up of this Court also that Col. Hollyday Send for one brass 1/2 Hundred weight and thirteen Iron Ditto a brass peck and yard Six letters to Stamp Six Ps and Six Gs.

Ordered that Thomas Oates be bound in a recognizance in the Sume of twenty pounds Sterling for his good behaviour till the next Court.

Whereupon came James Brooke and became Speaciall baile for the Said Thomas Oates in the Like Sume upon Condition that if he the Said Thomas Oates did not appear att the time aforesaid then to forfeit the abovesaid Sume to his Majestie etc.

Then did the Court adjourne till the third Tuesday in October 1699.

Att a Prince Georges County Court held att Charles Towne the Seventeenth day of October in the Eleventh year of the Reigne of our Sovereigne Lord William the third by the Grace of God of England Scotland France and Ireland King Defender of the Faith etc. Annoque Domini 1699 By his Majesties Justices thereunto appoynted and authorized. (Viz.)

Present. Mr. Thomas Hollyday, Mr. William Hutchison, Mr. Robert Bradley, Mr. Robert Tyler, Mr. John Hawkins, Mr. Robert Wade, Mr. Samuell Magruder, Mr. Thomas Sprigg, Comissioners.