

Novem. Court 1701

Sparker the Off. Sum of 260. £. got notwithstanding the said Wm. & said Sum of 260. £. according to the Ten. of the said bill or writing altho' the said demandants said flower Walker hath not paid but the same to pay hath conveyed & still doth convey and refuse to pay Damages of the said flower Walker five hundred & twenty pounds of £. and thereupon he brings this Suit

And the said Defend. by Michael Earle his Att. saith that he hath paid & satisfied unto the said Plaintiff the Sum of £. in the said Plaint Debt mentioned & requires and therefore saith his action at the said Defend. ought not to have been mentioned all which he is ready to aver and of this he putteth himself upon the Country & Earle the Defend.

And the Plaintiff in like manner & Macklin p. 9. Pleas of the said Plaintiff was therefore given to the Sheriff of Kent County that he should come hither and Justice of the Peace by whom the same was well known who neither doth to recognize the same whom made answer he had there ready Justice of the Peace as by his process he was commanded by John Hamer Esquire Thomas Dymond Thomas Lungey Thomas Curwin Thomas Jordan Nicholas Major Sam. Wallis William Robinson John Fytchard Charles Wright Peter Scherson & Edwin Jordan which jury being duly sworn and having heard all the pleadings & Evidence & Allegations on both Sides the Court quitted them their Charge who with the raw to consider on the same and after some short time do agree and returned and being called over ad alios the said Defend. and demanded whether they found for the Plaintiff or Defend. do say essed the jury do find for the Defend. by John Hamer their foreman all of them do say and Judg. was by the Court granted upon the Verdict

Therefore it is considered by the Court here viz. this 24 day of Novem. Anno Dom. 1701 that the said Defend. William Sparker Jun. as to the said action goes thereof without day And it is further considered that the said Defend. Wm. Sparker Jun. do recover from the said Plaintiff flower Walker as well the Sum of fifty pounds of £. for a non Suit according to act of Assembly & as also the Sum of seven hundred thirty six pounds of £. cost of Suit of the said flower in money

The Court Adjourns till Leabon a Clock to morrow morning
Novem. 20. 1701 The Court againe mett according to Adjournment from yesterday
Com. 23. Clerk: Thomas Smith & M^r. Nathan Wright
Scrib. Thomas Rynggold - M^r. Solomon Wright

Joshua Sweatnam being an Att. admitted & Sworne belonging to this Court he notwithstanding as he ought to do is dismissed from practicing as an Att. in this Court hereafter
Francis Hill Sen to Giles Hill bound by the Court to his Uncle Giles Bond until he come to the age of twenty one year being seven teen years of age

Ordered That a warrant Issue to the Constable of Island Hundred to apprehend the body of Joan a Servant woman belonging to Capt. John Whittington and the being so apprehended to bring her to the next Court to be held for this County
Ordered That there be a Road cleared from the barone M^r. Stephen Boarders path or thereabouts to the Gods going over at Labris Davisons Branch from thence to M^r. Silliners Mill