

November Court --- 1723 --- 133

And the said Thomas Layfield in his own proper person comes & defends the force & Injury when & pray
Leave to Imparle here unto unless the next Court and he hath it and the same Day is given to the p^{ty}
also --- At which said next Court to wit the Nineteenth Day of November and doth One thousand Seven
hundred and twenty three comes again the said Robert Martin by his attorney a^d pray, that the said
Thomas Layfield to his Declaration in the plea a^d may answer but the said Thomas Layfield altho.
Solomely failed comes not but makes default & where by the said p^{ty} remains against the said do^{ct}
wholly undefended

But because it is unknown unto his Lordship's Justice here what Damages the said Robert Martin
hath sustained by Occasion of the premises a^d - thereupon the Justice here at the prayer of the
a^d Robert and according to act of assembly do a^d set the damages of the said Robert by Occasion of
the premises a^d beyond his costs and Charges to two thousand five hundred & Sixty Eight pounds of
tobacco --- Therefore it is considered by the Justice here the Nineteenth Day of November

and doth One thousand Seven hundred and twenty three a^d, that the said Robert Martin Recover against
the said Thomas Layfield as well the sum of two thousand five hundred & Sixty Eight pounds of
tobacco (which Damages a^d in sum a^d a^d set as also the sum of Three hundred & Sixty Nine
(369) pounds of tobacco by the Court here adjudged unto him for his Costs and Charges by him
about his Suite in this Behalf said Out & Expended & do^{ct} in Mercy & ---

George Willson } Somerset County p James Treham of County Parish in the County of Somerset
a^d } planter a^d James Treham of the Parish of Rye in the County of Somerset
James Treham } in Maryland was Sumoned to an force unto George Willson of Saint Stephens parish
of King and Queen County in Virginia of a^d plan that he tender unto him seventy pounds of Good & Law-
full Court money of Maryland which to him he owes and unjustly detains & ---

And where upon the said George by Francis Allen his attorney saith that whereas the said James the
twenty seventh Day of November in the Year of our Lord One thousand Seven hundred & twenty one at
parish and County a^d within the Jurisdiction of this Court by his Certain Writing Obligatory which the said
George with the Seal of the said James signed here unto Court Brought & date whereof is the same Day &
year did acknowledge him self to be Bound unto the said George in the a^d seventy pounds of good & Law-
full Court money of Maryland to be paid unto the said George when he should be thereunto required
by the said James this often required the said seventy pound money a^d the a^d George he hath not
Rendered but & same to him hitherto to tender hath denied and still doth deny and unjustly detains to
& Damage of said George of forty pound money a^d and thereupon he Brought Suite & ---

Whereupon the said James Treham by Lewis Gale his attorney comes & defends the force & Injury
when & Whereupon the dispute in this action is by the Court & Consent of the parties by their attorneys
a^d Referred to Robert King, John Jones, & George Darshill ~~and~~ of Somerset County
(Court)