

March Court --- 1723 --- 174

Clumkett knowing the beasts aforesaid to be the proper Beasts of the aforesaid William Norton as adm^r of the goods and Chattels of the aforesaid John Norton and to him the said William Norton as adm^r of the goods and Chattels of the said John Norton of right to belong and appertain yet the said Richard plotting and fraudulently intending the aforesaid William in that part to defraud and deprive the said Richard the Beasts aforesaid unto him the said William altho' the same Richard afterwards (that is to say the tenth day of May One thousand Seven hundred and twenty three at the parish of Somerset aforesaid within the aforesaid Jurisdiction) was thereunto requested hath not delivered but the same Richard the Beasts aforesaid afterwards that is to say the tenth day of June One thousand Seven hundred and twenty three at the parish aforesaid within the aforesaid Jurisdiction did convey and dispose of to his own proper use whereby the said William says he is the worse and hath damage to the value of fifty pounds Curr^t money of Maryland and thereof brings his Sute & and the said William brings hereto into Court the Letters of Administration &c by which &c

And the said Richard Clumkett by Francis Allen his attorney comes and defends the force and injury when &c and prays Leave to impart hereto unto until the next Court and to hath it &c same day is given to &c also - At which said next Court to wit the Nineteenth day of November One thousand Seven hundred and twenty three came again the said Parties by their attorneys aforesaid and the said Deft by his said attorney prays further Leave to impart hereto unto until the next Court and to hath it and the same day is given to the p^l also -

At which said next Court to wit the Seventeenth day of March and One thousand Seven hundred & twenty three came again the said parties by their attorneys aforesaid and the said Deft by his said attorney as before defends the force and injury when &c and saith that he of the premises above upon him imposed is nowise guilty as the aforesaid p^l above against him complains and of this he puts himself upon the Country &c. *Allen & Deft*

And &c p^l in like manner. *I Galt & Deft*
Thereupon Command is given to the Sheriff of Somerset County that immediately he cause to come hereto twelve &c by whom &c who neither &c to recognize &c because as well &c of which said precept the said Sheriff to wit Joseph M^r Butler Gent^l Now hereto this day to wit the same day and Year last mentioned makes Return that he has here ready twelve &c as by his precept he was commanded, and Now hereto afterwards to wit the same day & Year come as well the said p^l as the said Deft by their attorneys aforesaid and the Jurors of that Jury Impannelled being called come to wit Thomas Bule John Dennis Sen^r, John White Marumisco, William Holland, Isaac Williams, John Beavins, William Bratton, David Hazard John Calver Sen^r, Adam Spence Sen^r, Edmund Haugh William Mills who being duly Oathed tryed & sworn to say the truth in the premises, upon their Oath do say that Richard Clumkett is not guilty of the premises above imposed upon him as the p^l above hath complained

Wherefore it is considered by the Justice here the same day & Year last mentioned that the said William Norton's administrator of the same John Norton's take Nothing by by his writ &c &c aforesaid but be in Money for his false Claim and that the said Richard Clumkett goe thereof without day &c