

November Court --- 1724 --- 256

The said Edmund Hough by his attorney aff prays that the said ~~John White~~ John White to his declaration aff may answer - thereupon the same John White in custody as aff hath time given him the four of the clock of the after noon of this Saturday to answer &c. and afterwards in the same Court the same John White in custody as aff altho. solemnly called Cometh not nor nothing thereof in Court or preclusion of the action ^{of the said John} by that the same Edmund Remains against the said John White in custody as aff thereof undefended &c.

Thereupon the same Edmund his Damages by Question of the premises against the said John White in custody as aff ought to discover, but because it is not known what damages the said Edmund hath sustained by Question of the premises - the Justice according to act of assembly in such Case made and provided, at the prayer of the said Edmund do assess the damages of the same Edmund by Question of the premises beyond his costs and charges to seven pound three Shilling & Nine pence fur. money of Maryland &c.

Therefore it is considered by the Court here the Saturday and year last mentioned that the said Edmund Hough Recover against the said John White in custody as aff as well the Sum of seven pound, three Shilling & Nine pence fur. money of Maryland his damages aff by the Justice aff in form aff - assessed as also the Sum of three hundred & thirty One pounds of tobacco by the Court here adjudged unto him for his costs and charges by him about his Suit in this Behalf said Out & Expended & doffer in making and afterwards the same John White present here in Court, it thereupon again committed into the custody of the Sher. of Somerset County there to remain till the said Edmund Hough of his damages and costs aff should be thereof fully satisfied, the said Sher. present here in Court took charge of the said John White according by law

Whereas a certain Mary Swanough a servant being convicted for the felonious Stealing of certain Goods and Chattels belonging to a certain Merriuk Ellis and John Banister, and at the Expiration of the said Mary Swanoughs Service Mr. Jos. Gray her Master according to act of assembly Returned her to the County Court of Somerset, in order to be sold to satisfy unto the said Merriuk Ellis and John Banister the four fold of the value of the goods from them stolen which four fold do's amount to seven pound four Shilling &c. - thereupon it is Ordered by the Court that according to said act of assembly, the Sher. of Somerset County sell the said Mary Swanough at publick Sale to the biggest bidder not Exceeding seven years ^{four fold of the} to satisfy unto the said Merriuk Ellis and John Banister the value of the goods aff stolen

Whereupon the said Sher. Returns to this Court ^{that he} did sell the said Mary Swanough at publick Sale for three thousand & thirty One pounds of tobacco, to a certain Wm. Gray &c.

John Scott of Somerset County Gentl, being appointed as deputy ^{by the} ~~by the~~ John Trustall deputy Commisary for Somerset County) to act in said County in the absence of said Trustall &c. The said John Scott did appear to John Hardy, Gentle one of the Justices for said County of Somerset, & look doeth appointed & submitted doeth at the Court