

March Court --- 1724 --- 272

the said Thomas Layfield the fourth day of March Seventeen hundred and twenty three at the County assizes within the Jurisdiction of this Court by his certain Writing Obligatory granted himself to be held & firmly bound unto the said Leoni Gale in the Sum of twenty five pounds Curr. money to be paid the same Leoni when thereunto the said Thomas should be required Yett the said Thomas the said Sum of twenty five pounds Curr. money to the same Leoni hath not Rendered altho. often thereunto Required but the same Thomas the same further to the same Leoni to Render hath altogether denyed and still doth deny and unjustly detain whereby the same Leoni says he is worse and hath damage to the Value of fifty pounds Curr. money and thereof brings his Suite &c. and the same Leoni brings her into Court the writing Obligatory of &c. with &c. - Leoni Gale in person Cledges J. Dore, R. H. Roe.

And the said Thomas Layfield in his own proper person Cometh & defendeth the force and Injury when &c. and saith that he can not gainsay the just his action of &c. against him brought nor can he say but that the said Leoni ought to recover the debt of &c. in the Obligation of &c. mentioned; and that the same is yett due, wherefore the same Leoni prays Judgment for his debt of &c. and his Costs & Damages Sustained by Reason of the detaining the same debt. -

Therefore it is considered by the Court that here the eighteenth day of March and Dow. One thousand and Seven hundred & twenty four that the said Leoni Gale Recover against the said Thomas Layfield as well the Sum of twenty five pounds Curr. money his debt of &c. as also the Sum of pounds of &c. for his Costs and Damages Sustained by Reason of the detention of the same debt to the same Leoni by his assent by the Court here adjudged and the said Thomas Layfield in Money &c.

H. W. Emsley

Nehemiah Nicholson

Memorandum the 28th by Francis Allan his attorney Shewed out his Lordships writ of Surifais, against the doct. the tenour whereof followeth in these words viz.

Somerset County sh. Charles absolute Lord and propriety of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. To the Sherr. of Somerset County greeting whereas a certain William Emsley lately in Our County Court of Somerset to wit on the twenty second day of March in the fifth year of Our Dominion &c. and Dow. One thousand Seven hundred and twenty before the worship. Just. Charles Ballard Gent. and his associates Justices of Our said Court, and by Consideration of Our said Court (at dividing Creek) Recovered against a certain Nehemiah Nicholson of Stegney parish in the County of Somerset planter as well the Sum of Nineteen pounds five Shillings and Seven pence Curr. money certain Damages as also the Sum of three hundred and Sixty pounds of tobacco for his laid Out and Expended by means of said Suite, whereof he is found as by the Record and proof thereof in Our said Court Remaining manifestly appears, Notwithstanding Execution of the Judgment of &c. as yett Remains to be done as by the Intimation of the aforesaid