

Aprile Court 1723

Debt of in the Court here ought not to sue and Implead because he saith that in and by a certain act of
 assembly of this Province now in force in such Cases made and provided made and East at a session of
 assembly begun and held at City of Annapolis the twenty second day of June in the thirteenth year of the
 Reign of our late Sovereign Lady Queen Anne of Great Brittain &c. Anno of Dom. One thousand seven
 hundred and fourteen Entituled an act for relieving the Inhabitants of this Province from ^{Some} ~~the~~
 aggressions in the Execution of Sutes at Law amongst Other things it is Enacted by the autho-
 rity of the said assembly that from and after the End of that present Session of assembly all Persons
 whatsoever Residing Negotiating or trading to or within this Province having a personal Claim or demand
 against any the Inhabitants of this Province whose the Original debt or damages do not exceed
 the value of twenty pounds Sterling or five thousand pounds of tobacco shall by virtue of this act be
 Obliged to sue and Implead their severall and respective Debtors in the severall and respective County
 Courts where such their debtor Inhabitt and reside and Not Else where on Penalty of suffering anoi-
 suite and paying the debt his reasonable Charges to be adjudged by the Justices of any Other Court
 where in they shall be sued and Impleaded any Law Statute Usage or Custome to the contrary notwith-
 standing and the said John in fact saith that he the said John at the day of Issuing out of the
 Original Writt of him the said Alexander against him the said John and for severall years before that
 was and now is a free holder and Inhabitant residing in Dorchester County in his Lordships Province
 of Maryland and in that County Court and not Else where ought to have been sued and prosecuted for
 the debt of ~~against him the said John~~ Wherefore for that the said Alexander his Original Writt for the
 Debt of against him the said John out of his Lordships County Court here now hold for the County of Somersett
 hath sued and prosecuted, the said John craves Judgment that the said Alexander thereupon may be Non suite
 and his reasonable Charges by reason of to him the said John thereupon to be adjudged &c. Alas of Deft

But the said Alexander M^r. Culluck altho' solemnly called to answer ^{the Case of} ~~the~~ the said John
 Answered as afo^r above in Barr pleaded Comes not but makes default in his writt in the plea of
 further prosecuted against him the said John

Therefore it is Considered by the Justices here the thirteenth day of Aprill Anno Dom. One
 thousand seven hundred and twenty three afo^r that the said Alexander M^r. Culluck and his Eledges in
 prosecuting be in money &c. and set the Names of the said Eledges as sought for &c. and that the said John
 Answered as afo^r goe there of without day - Likewise it is Considered by the Justices here that the said
 John craves Judgment against the said Alexander M^r. Culluck the sum of Two hundred & fourteen
 pounds of tobacco by the Court here adjudged unto him for his Costs and Charges by
 him about his defence in this Court sustained amounting to the full of the Statute and that thereof he have
 his Execution &c

(214)

W^m. D. William Brereton
 Thomas Brereton Mary his wife } Somersett County s^r. William Brereton Sole of Stephen Curish in
 the County of Somersett Clerk was attached to an process unto Thomas
 Brereton and Mary his wife of a plea of trespass upon the Case &c.