

March Court. - 1729

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John A. William Marchmont } Somerset County p. William Benton late of Somerset County planter ad. Sub
for William Benton ... } William Benton of the County ad. Clerk was summoned to answer unto
William Marchmont of a plea of breach of Covenant &c.

and whereupon the said William Marchmont by Francis Allen his attorney saith that whereas the said William Benton by the name of William Benton of the County ad. Clerk the third day of March Ann. Dom. Seventeen hundred & twenty eight by certain Articles of Agreement which of Wm. Marchmont with ideal of said Wm. Benton signed were into Court brings the Date whereof is the same Day & Year at the County of Somerset ad. within the Div. of this Ct. did Oblige himself to serve with of ad. Wm. Marchmont six Months with the Whip Law from that time & for every Day that he should be absent from serving to forfeit One Shilling & Eight pence Curr. Money of this Province of Maryland for & in consideration of Nine pounds in Country pay to be paid him by of ad. Wm. Marchmont with Dyett Washing & Lodging during the term of ad. Wm. Marchmont in fact saith if he said Wm. Marchmont always was ready to perform covenants & agreements on his part to be performed & kept according to the Effect of the Writing & that the said Wm. Benton hath not done with him of ad. Wm. Marchmont by the Space of six Months at the Whip Law but hath broken the Articles of Agreement and absented himself ever since the thirtieth Day of March ad. in Year ad. & the Articles of Agreement on his part & behalfe to be performed & kept according to the force & Effect of the Writing hath not kept & performed but the same to keep & perform hath refused & still doth refuse & deny whereupon of ad. William Marchmont saith he is worse & hath Damage to the Value of twenty Curr. Money of Maryland & thereupon he brings Suite &c.

And the said Wm. Benton in his own proper Person comes & defends of force and Injury when he and Gray leave to dispute & were unto until the next Court and doth it & the same Day is given to the ad. Ct. were also &c. At which said next Court to wit the Nineteenth day of August Ann. Dom. one thousand Seven hundred & twenty nine came again as well the said William Marchmont as of ad. Wm. Benton in his own proper Person & the said William Benton as before refused the force & injury Gray further leave to dispute & were unto until the next Ct. & he doth it & the same Day is given to the ad. Ct. were also &c.

At which said next Ct. to wit the Eighteenth day of November Ann. Dom. one thousand Seven hundred & twenty nine came again as well of ad. Wm. Marchmont by his atty. as of ad. Wm. Benton in his own proper Person & of ad. Wm. Benton as before refused the force & injury Gray further leave to dispute & were unto until the next Court & he doth it & the same Day is given to of ad. Ct. were also &c.

At which said next Court to wit the thirteenth day of March Ann. Dom. one thousand Seven hundred & thirty two came again as well of ad. Wm. Marchmont by his atty. as of ad. Wm. Benton in his own proper Person as ad. and whereupon the dispute in this action is by the Court and Consent