

August Court 1730 15
Wm Smith

John Floyd & Henry Fisher

Somerset County vs. John Floyd and Henry Fisher late of Somerset County planter were attached to answer unto William Smith of Bergen whose wife free and armaker the force of him the said William at Manokin hundred in Somerset parish in Somerset County aforesaid they did break and Enter and thirty oak timber trees of the value of three pounds fifteen shillings Lawfull money of America those lately growing did cut down take and carry away and other damages to him did to the great damage of the said William and against the peace of the light and

And whereupon the said William by Francis Allen his attorney Complain that the said John Floyd and Henry Fisher the fifteenth day of February anno. Dom. One thousand Seven hundred and twenty nine at Manokin hundred in Somerset parish in Somerset County aforesaid the force of him the said William they did break and Enter and thirty oak timber trees of the value of three pounds fifteen shillings Lawfull money of America those lately growing did cut down and carry away and other damages to him did to the great damage of the said William and against the peace of the light to the Lord Proprietary of this province that now is his good rule and Government &c. who upon he sayth he is worse and hath damage to the value of Seven pounds ten shillings Current money of Maryland and thereupon he bring suit to the Honorable the Judges of the said Court.

And the said John Floyd and Henry Fisher by Lewis Galt his attorney Complain and defend the force and injury when the said pray leave thereof to imparte law until the next Court and they have it and the same day is given to the said plaintiff also for

At which said next Court to wit the seventeenth day of March anno. Dom. One thousand Seven hundred and twenty nine. Came again as well the aforesaid William Smith as the said John Floyd and Henry Fisher by their attorney aforesaid and thereupon the said John and Henry pray further leave thereof to imparte law, until the next Court and they have it and the same day is given to the said plaintiff also for

At which said next Court to wit the sixteenth day of June anno. Dom. One thousand Seven hundred and thirty one as well the aforesaid William Smith as the aforesaid John Floyd and Henry Fisher by their attorney aforesaid and the same John and Henry pray further leave thereof to imparte law until the next Court and they have it and the same day is given to the aforesaid plaintiff also for

At which said next Court to wit the eighteenth day of August anno. Dom. One thousand Seven hundred and thirty one the said John and Henry as before defend the force and injury when the said say that they are in no wise guilty of the facts above up: on them imposed in manner and form as the plaintiff above against them hath Complain'd and of this they put themselves upon the Country &c. and the plaintiff in like manner &c.

Thereupon Command is given to the Just. of Somerset County that immediately he come to Court to wit the same day and year last mentioned Complain and make Return that he hath recovered twelve pounds as by his said prayer he was Commanded and now hereforward to wit the same day and year last mentioned Complain as well the said Plaintiff as the said Defendants by their attorney aforesaid and the Jurors of that Jury the said Jurors being called likewise Complain to wit William Hardy, John Townsend Junr, John Cunniff, John Mann, Robert Mitchell, William Colburn, Thomas Keen, Walter Derby, John Gray Junr, George Boston, William Miller and Abraham Smith who being duly Elected tryed and sworn to say the truth in the premises upon their Oath do say that the said John Floyd and Henry Fisher, nor neither of them are guilty of the charges as the said William Smith above against them have Complain'd &c. Therefore it is Considered that the said William Smith take nothing by his writ of Detention and be in mercy for his false Complain and that the said Defendants go thereof without day and further it is Considered that the said John Floyd and Henry Fisher recover against the said William Smith Six hundred and sixty pence p. cent. and further by them about by them about their suit in that part agreed by the said William and Henry by the Court here according to the form of the Statute lately made and provided adjudged and that the said John and Henry have thereof Execution &c.

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