

November Court 1730

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Jurisdiction by the same Betty was thereto Requested but the same to do hath altogether Refused and Thre doth Refuse whereby the same Betty says she is worse and hath Damage to the value of Eight pounds Seventeen Shillings and five pence like money and therof he brings this Suit &c. — Levin Gale Esq. Pleader for Judge Allen

And the aforesaid Lazarus Maddox in his proper person comes and defends the force and Injury when it is and prays Leave therof to Judge here, until the next Court and he hath it and the same day is given to the aforesaid Betty her own

Att which said next Court to wit the Seventeenth day of November and said Court and Seven hundred & thirty five againe as well the aforesaid Betty Gale by her attorney aforesaid as the said Lazarus Maddox in his proper person and the said Lazarus says that he cannot Gain say the action aforesaid, of the aforesaid Betty, nor but he is bound upon himselfe in manner and form as the aforesaid Betty above against him hath complained, and as to the damage of the same Betty by her by Oration of the premises in that part Sustained, the same Betty Lazarus says and Confesseth that the aforesaid Betty has Sustained Damage by Oration of the premises further than her Costs and Charges by her about her Suit in that part appeared to four pounds Eight Shillings and Eight pence half penny and not more and because the aforesaid Betty denies not this but the same allegation Confesseth to be true prays Judge and therof damages above Confessed together with her Costs and Charges aforesaid to him adjudged &c.

Therof by Consent of the parties afo it is considered that the aforesaid Betty Gale Recover against the aforesaid Lazarus Maddox her damages aforesaid to four pounds Eight Shillings and Eight pence half penny Court money by the same Lazarus in four aforesaid Confessed as also two hundred & Eighteen pounds of tobacco for her Costs and Charges aforesaid to the same Betty at her Request by

the Court here, the Court of the parties aforesaid adjudged which Contain damages in the whole do amount to four pounds Eight Shillings and Eight pence half penny Court money and pound of tobacco and said Lazarus in money &c.

Pomerset County &c. Know all men by these presents that we Ann Mitchell, Solomon Colbourne and John Davis all of Somerset County in the province of Maryland are holden and firmly bound unto Thomas Mitchell Mary Mitchell, Isaac Mitchell, Ann Mitchell, Solomon Mitchell Randall Mitchell and Stephen Mitchell in the full and Just Sum of two hundred and nineteen pounds and four pence Current money to be paid unto the said Thomas, Mary, Isaac, Ann, Solomon, Randall and Stephen Mitchells their heirs Executors Administrators or assigns to the which payment well and truly to be made and done we bind our selves, our and either of our heirs Executors and assigns for the whole & in the whole jointly and severally firmly by these presents, Sealed with our Seal and dated this 18. day of November and said 1730

The Condition of the above Obligation is Such that whereas the Commissary General has transmitted into this Court the amount of the Estate of Thomas Mitchell deceased wherein it is found that there is balance due to the above said Orphans the Sum of one hundred and nine pounds and Eight pence, If therefore the above said Ann Mitchell, Solomon Colbourne & John Davis or any or either of them or any or either of their heirs Executors or Administrators do and Shall well and truly pay or Cause to be paid unto the said Orphans the said Sum of one hundred and nine pounds and eight pence in equal parts or portions when they Shall attain at full age to receive & pay according to act of assembly in Such Case made and provided &c. then the above Obligation to be void and of no effect otherwise otherwise to remain in full force & virtue.

Sealed and delivered in the presence of J. H. Landy James D. Ashby

Ann Mitchell
Solomon Colbourne
John Davis