

March Court ---- 1730

but the same allegation Confesseth to be true prays Judgment and those Damages above Confessed together with his Costs and Charges as to him adjudged &c.

Therefore by Consent of the parties aforesaid it is Considered that the aforesaid James Edwards Recover against the aforesaid James Quindow his Damages aforesaid to the aforesaid Eight pounds ten Shillings and Eight pence Curr. money by the same James Quindow for aforesaid Confessed or also three hundred & thirty seven pounds of Tobacco for his Costs and Charges aforesaid to the same James Edwards at his Request by the Court and Consent of the parties aforesaid adjudged and the aforesaid James Quindow in mercy &c.

John Stewart Executor of Francis Mercer } Somerset County & Phillip Quinton Late of Somerset
} County in the province of Maryland Planter ad. dit Phillip
} Quinton of the province aforesaid was Sumoned to answer
unto John Stewart Exr of the Last will and Testament of Francis Mercer de-
of a plea of that he tender unto him Sixty pounds Currant Money of said Province
which from him he unjustly detaineth. - And whereupon the said John by
Francis Allen his Attorney saith that whereas the said Phillip the first Day of
June and Dowd one thousand Seven hundred and thirty Eight at Somerset
County aforesaid within the Jurisdiction of this Court by his Certain writing
obligatory which the said John with the Seal of the said Phillip signed -
hereinto Court brings the Date whereof is the same day and Year did acknowledge
- Edge himself to be bound unto the said Francis Mercer in his Life time
in the aforesaid Sixty pounds Money aforesaid to be paid unto the said -
Francis Mercer when he should be thereunto required yett the said Phillip
tho' often required the said Sixty pounds to the said Francis Mercer in his
Life time or to the aforesaid John since the Decease of the said Francis
Mercer hath not rendered but the same to the said Francis Mercer in -
his Life time or to the said John since the Decease of the said Francis
Mercer to render hath denyed and the same to the said John to render -
still doth deny and unjustly detain to the Prejudice of him in the
Execution of the Last will and Testament aforesaid whereupon the
said John saith he is wove and hath Damages to the Value of forty
pounds Money as And thereupon he brings Suite and brings into
Court the Letters Testary of the aforesaid Francis Mercer by which &c.
of Allm Justice & Eds deffs Ind Doe & Roe

and the aforesaid Phillip Quinton by Levi Gale his attorney comes and defends the force and Injury where
and pray Leave to Imparale here until the next Court and he hath and the same day is Given to
the aforesaid Phillip Quinton also &c.

At which said next Court to wit the Seventeenth day of November and Dowd one thousand
Seven hundred and thirty came againe as well the aforesaid John Stewart as the aforesaid Phillip
Quinton by their attorneys aforesaid and whereupon the same Phillip Quinton prays further Leave
to Imparale here until the next Court and he hath it and the same day is Given to the aforesaid Phillip Quinton
also &c.

At which said next Court to wit the Sixteenth day of March and Dowd one thousand Seven
hundred and thirty came againe as well the aforesaid John Stewart as the aforesaid Phillip Quinton by their attor-
neys aforesaid and whereupon the said Phillip Quinton as before defends the force and Injury
where.