

November Court 1737 150

the motts and otherwise spoiled and damaged were that they are become useles
and of no service to the said Ezekiel Whereupon the said Ezekiel says he is damaged
ten pounds Curr money of Maryland as it is said and after such sort it is proceeded
on in our same Court that the said Ezekiel his damages by occasion of the non
performance of the promise and assumption as against the said Adam ought
to recover but because it is not known what damages the said Ezekiel has sustained
by occasion of the non performance of the promise and assumption as we Command
you that by the oath of honest and Lawfull men of your County ^{by you} diligently
enquire what damages the same Ezekiel has sustained as well by occasion of the
non performance of the promise and assumption as for his Costs and Charges
by him about his suit in that part apposed and the Inquisition which thereupon
you shall make you make appear to our Justices of our County Court of
Somerset to be held at deviding Creek in the same County the third Tuesday of
November next under your seal and the seals of those by whose oath you
shall take such Inquisition and have you there the names of those by whose
oath you make that Inquisition.

Att which day here before the Justice of his Lordships County Court of Somerset at deviding
Creek Cometh the said Ezekiel Wise ^{Geo. Douglas} by his attorney and the Shorife to wit John Henry Gants
returned a certain Inquisition subscribed and taken before him on the third day of September
and said One thousand seven hundred and thirty seven at Snow Hill in all hollows parish
in Somerset County by the oath of honest and Lawfull men of his bailiwick by which it
was found that the said Ezekiel has sustained damages by occasion of the non performance of
of the promise and assumption as beyond his Costs and Charges by him about his suit in that
part apposed to three pounds eighteen Shillings and eleven pence Currant money of Mary-
land and for those Costs and Charges to one pound of tobacco

Therefore it is considered that the said Ezekiel Wise recover against the said Adam
Bradford his damages as by the Inquisition as in form as found also fourteen hundred
430 and thirty pounds of tobacco for his Costs and Charges as to the same Ezekiel
by the Court now here of his absent of Duress adjudged which certain damages in the whole do amount
to three pounds eighteen Shillings Currant money of Maryland and fourteen hundred and thirty one
pounds of tobacco and of said Debt in Maryland