

June Court . . . . 1737 . . . . 69

assembly in such case made and provided . . . And the said William Wye by Francis Allen his attorney  
cometh and defendeth the force and Injury Wherof . . . and the same Thomas Curmelle prays that the same Wm  
Wye to his declaration etc may answer but the same attorney say that he is not Informed by the same Wm  
his Agent of any answer for the same William to the said Thomas in the plea etc to be given and nothing  
else thereof saith by which the same Thomas remaineth against the said William his of undefeuded. by rea-  
:son whereof the same Thomas his damages by Breach of the non performance of the promise and  
assumption etc against the said William ought to recover Whereupon the Justices here at the  
prayer of the said Thomas and by the Consent of the said William according to act of assembly in  
such case made and provided assessed the damages of the same Thomas by Breach of the non perfor-  
:mance of the promise and assumption etc beyond his Costs and Charges by him about his Suit in that  
part assessed to fifteen hundred and forty pounds of Tobacco for those Costs and Charges to one pound  
of Tobacco. — Therefore it is considered that the said Thomas Curmelle Recover against the said  
William Wye his damages etc by the Justices etc in form etc assessed as also Two hundred and  
297. Ninty Seven . . . . pounds of Tobacco for his Costs and Charges etc to the same Thomas  
by the Court here of this Court of Jurisdiction adjudged which damages with the whole do amount to Eighteen  
hundred & thirty Eight . . . . pounds of Tobacco and the said William in Money

1000 to Wm Gray } His Lordship the Ld Proprietary of the provinces of Maryland Comanded  
Benj<sup>o</sup> Sharpe } his Sheriff of Somerset County by his writ in form following viz Somerset sh-  
Charles absolute Lord and Proprietary of the provinces of Maryland and ava-  
:lon Lord Baron of Baltimore of Baltimore, etc To the Sheriff of Somerset County  
greeting Whereas William Gray of Nanticoke hundred in the County of Somerset  
planter lately in our County Court of Somerset to witt the twentieth day of Aug<sup>t</sup>. And Done  
one thousand seven hundred and thirty four before the Worshipfull Robert King Gent. and  
his associates then Justices of our County Court as a dividing Creek by consideration of  
the same Court Recovered against Benj<sup>o</sup> Sharpe eight hundred and ninety two pounds of  
Tobacco which to the same William in our same Court by discretion of the same then Justices  
of our same Court were adjudged for his Costs and Charges which he sustained for that the said  
Benj<sup>o</sup> did not prosecute this writ in a certain plea of trespass upon the Case by the same Benj<sup>o</sup>  
against the said William in our same Court Impetrated according to the form of the  
Statute thereof made and provided against parties plaintiffs <sup>which</sup> their writts in such  
manner