

March Court

1741

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Francis Allen

Edmund Trough bail of

Wm. Whittington

His Lordship the Right Honourable the Lord Proprietary of the Province of Maryland Commanded his Sheriff of Somerset County by his writ in these words following - viz. Somerset of Charles absolute Lord and Proprietary of the provinces of Maryland and Avalon Lord Baron of Baltimore -

To the Sheriff of Somerset County Greeting whereas a certain Edmund Trough of Somerset County Gentleman in our County Court of Somerset heretofore the nineteenth day of June Anno Domini one thousand seven hundred and forty before Robert King Esq. and his Associates then our Justices of our said Court at dividing Creek in our said County undertook for a certain William Whittington late of Somerset County Gent. and assumed upon himself that if it should happen that a certain Francis Allen should recover Judgment in the said Court against the said William Whittington in a certain plea of trespass upon the case by the same Francis Allen against the said William Whittington in our same Court prosecuted or that he the same William should be therein convicted that then the said William all the damages which to the same Francis in our same Court herein the said plea of trespass upon the case that should be adjudged he would satisfy or render his body in Execution of such Judgment to the prison of the Sheriff of the County of Somerset in satisfaction thereof or that he the said Edmund Trough would do the same for him and altho' the said Francis afterwards at a Court held in and for the County of Somerset at dividing Creek the seventeenth day of March and year of last mentioned before the said Robert King Esq. and his Associates our Justices of our County Court of Somerset at dividing Creek by consideration of the same Court recovered against the said William Whittington seventy pounds fourteen shillings Curr. money of Maryland and two hundred and thirty six pounds of tobacco for his damages which the said Francis sustained by occasion of the non performance of a certain promise and assumption by the said William Whittington to the said Francis made and not performed whereof he is convicted as by the record and proceedings thereof now remaining in our same Court before our said Justices at dividing Creek manifestly appeareth Nevertheless the said William hath not satisfied the said Francis of his damages nor rendered his body in Execution of the Judgment of the said Court to the prison of the Sheriff of the said County as by Information from the same Francis we have received and because we are willing that those things which in our said Court before our Justices are rightly done should be duly executed thereof we Command you by good and Lawfull men of your bailiwick you make known unto the said Edmund Trough that he be and appear before our Justices of our County Court of Somerset to be held at dividing Creek the third Tuesday of March then next following to shew cause if any thing for himselfe he hath or to say knoweth wherefore the said Francis Allen his Execution against him of the damages of the said Court to have ought not according to the form of the recognizance of the said Court if to him it shall seem most Expedient and have you then and there the names of them by whom to him you make known and this Writ Witness John Scott Gent. one of our Justices of our said Court the twenty sixth day of November Anno Domini one thousand seven hundred and forty one at