that he the said Thomas Dowra and there faithfully promised that he the said Thomas
the aforesaid thirteen pounds seaven shills and five pence to the same Christopher within
the time of four weeks next after the arrivall of the London fleet in the Province
aforesaid by good bills of Exchange would well and truly Content and Pay And the said
Christopher in fact says that the London fleet aforesaid arrived in the province aforesaid the
fifth day of July in the year of our Lord 1710 aforesaid to wit at Herring bay in the
province aforesaid Nevertheless the aforesaid Thomas Dowra his promise and assumption aforesaid
in form aforesaid made not regarding but minding and fraudulently Intending the
said Christopher in this part Craftily and subtilly to deceive and defraud the aforesaid
sum of thirteen pounds seaven shills and five pence for any part thereof
by good bills of Exchange or otherwise within the time of four weeks next after the
arrivall of the London fleet aforesaid in the province aforesaid to the said Christopher hath not paid
nor him for the same hath anywise Contented altho the said Thomas Dowra
was by the said Christopher the fifth day of August in the year of our Lord aforesaid
and divers other times as well before as since requested but the same to him
to pay hath refused and still doth refuse to the damage of the said Christopher twenty
pounds sterling and therefore he brings his suit &c

Bradley & Yardley

And the said Thomas Dowra by Thomas Bordley his attorney Comes and
defends the force and injury when &c and prays Leave to imparle thereunto until the
next Court and he hath it and the same day is given to the pltff also — Attw. said
next Court to wit the 10th day of August Anno Domi 1711 Comes again as well the said
Christopher Smithers by his attorney aforesaid as the said Thomas Dowra by his attorney
aforesaid and the said Thomas Dowra by his said attorney prays further Leave to imparle
thereunto until the next Court and he hath it & the same day is given to the pltff also — Attw. said next Court to wit the 17th day of July Anno Domi 1711 Comes again
as well the said Christopher Smithers by his attorney aforesaid as the said Thomas Dowra
by his said attorney aforesaid and the said Thomas Dowra by his said attorney prays further
Leave to imparle thereunto until the next Court and he hath it & the same day is
given to the plaintiff also — Attw. said next Court to wit the second day
of October Anno Domi 1711 Comes again as well the said Christopher Smithers
by his attorney aforesaid as the said Thomas Dowra by his attorney aforesaid and the said
Thomas Dowra by his said attorney as before defends the force and injury
when &c and says that he Cannot Gainsay the plaintiff his action aforesaid
against him brought nor can he say but that the said pltff ought to recover
his damages by occasion of the premises aforesaid to the sum of thirteen pounds
seven shills and five pence sterling and costs of suit against him w. said pltff does
not Gainsay. Therefore it is Considered by the Justices here that the
said Christopher Smithers recover against the said Thomas Dowra as well the sum of thirteen pounds seven shills and
five pence sterling his damages aforesaid in form aforesaid Confessed as also the sum
of twenty pounds of Tobacco by the Court here
adjudged unto him for his Costs and Charges by him about his suit in this behalf
said

October Court 1711

Judgment Expended — And the defendant Mercy the wife of the pltff by his attorney aforesaid
prays that Execution of this Judgment may stay till the first day of January next

Wm. Samuel Collins & Katherine his wife Exr. of Wm. White } Maryland
Wm. Tayland

Be it Remembered that said day to wit
the tenth day of October in the ninth year of the reign
of our sovereign Lady the Queen that now is of Great Britain &c
Came here in Court Samuel Collins and Katherine his wife Exr. of the Last will and
Testament of William White late of Somerset County Mariner deceased by William Bladen
their attorney & exhibited to the Justices here their Certain Bill against William
Tayland Gent one of the attorneys of this Court present here in Court in his
proper person of a plea of trespass upon the Case the Tenor of which bill
follows in these words —

To the Maj.ty Justices of the Prov.l Court —

Maryland } Ann.o 1711
Anne Co.

Samuel Collins & Katherine his wife Exr. of the Last will
and Testament of William White late of Somerset County Mariner deceased
by William Bladen their attorney complain of Wm. Tayland Gent one of the
attorneys of this Court herein called present in his proper person for that whereas the
said Wm. Tayland the fifteenth day of April in the year of our Lord Christ one
thousand seven hundred and seventeen at Lond.n County according to the Custom used & held
between Merchants & others of this province of Maryland and the City of London
in the Kingdom of Great Britain made and drew his first bill of Exchange
with his proper hand subscribed bearing date the day & year last mentioned
to assistant John Falkner Merchant in London and requiring and negotiating
Directed and by the same bill required the said John Falkner at twenty days
sight thereof his second third and fourth bills of the same tenor and date not being paid
to pay to the said Wm. White or his ord.r the sum of nine pounds sixteen shills and
eight pence sterling for value received whereof the said John Faulkner afterwards
on the tenth day of July Anno Domi one thousand seven hundred
and seventeen at London aforesaid had notice and then and there was requested to pay the said
sum of nine pounds sixteen shills and eight pence sterling to the said Wm. White in his life
time and the said Samuel and Katherine in their Capacity aforesaid say that
the said John Falkner after twenty days sight of the said first bill of Exchange
and notice as aforesaid had not paid unto the said Wm. White or his ord.r in his
Lifetime the said sum of nine pounds sixteen shills & eight pence sterling and
that for want of Payment thereof after the twenty days sight of the aforesaid
first bill by the said John and on the tenth day of July in the year aforesaid at London
aforesaid first bill of Exchange was protested according to the Custom
of Merchants and the second third or fourth Bill of the same tenor &
date not being paid of which the said William says and the tenth day
of May in the year of our Lord Christ 1710 at the County aforesaid notice
and in Consideration thereof and of the Custom of Merchants aforesaid the said
Wm. Tayland there and thereupon himself assumed and to the said
Samuel and Katherine his wife Exr. as aforesaid the said Wm. White being
then dead faithfully promised that he the said Wm. Tayland the said sum