Is amongst other things therein and thereby Enacted by the authority of this
Same Assembly that no person whatsoever Resideing or Trading in or to this Province
their Exr. adm.r agents factors or assignes shall Sue any Sum or sums of Tobacco
money due or going to him by account upon book or otherwise Cast Sour. Wed debts
hath not Cast his hand and Seal to the bill Creditor Sued and Imployed such
debtor his Exr. or adm.r in any Court of Record within this Province unless he
shall first demand and require the same of such debtor proper person or otherwise
at the habitation or place of residence of the said Debtor in the County where he
shall dwell as in and by the said act remaining in full force and unrepealed amongst
other things therein Contained more fully appeareth And the said Plaintiff in fact
Saith that she at the time of the making the supposed promise and assumpsit
was an Inhabitant of this Province and Living and Residing in the County
of Saint Maries And that neither the said Mayhew and Company nor any for them
before the time of the Impetration of this original writ in this cause have nor
demanded of the said Plaintiff the aforesaid Sum of 17-4: 4 in the Deed above
specified or the damage and Costs of the prosecution And thereupon the premises
Judgment whether whether the aforesaid Mayhew and Company ought their action
to have & maintain Ought &c. ---- And the aforesaid Mayhew & Company
say that by any thing pretendeed by the aforesaid Plaintiff above in Pleading from having
their action against her they ought to be barred because they say that the aforesaid
plea by the aforesaid Elizabeth in Manner and form as above pleaded and the matter
therein Contained and not Suff.t in Law to bar them from having their action
against her to which plea the said Mayhew & Company have no need nor by the Law
of the Land are bound to answer and this they are ready to verify whereof
for want of Suff.t plead in this part the same Mayhew & Company pray Judgment
and their damages by occasion of the premises to be adjudged to them &c.
And for Cause of Demurr in Law on the plea the said Mayhew & Company according
to the form of the statute in that Case laid made and provided state to the Court
here the Causes following viz.t ---

1: In that the time of the making of the act therein mentioned is unpleaded ---
2: In that the doth not aver that the said Mayhew & Company are or residents or traders
in or to this province nothing therein within the Letter thereof ...
3: In that the by the said plea begins and Concludes in bar with.t an hoc paratus
est Verificare &c. ---

Whereupon the said Eliz.a Keech by her attorney aforesaid relinquishing her
averment aforesaid by her above pretended says that the said Company hereinafter the pl.ffs
their action aforesaid as aforesaid ought not Ought to be barred because she says but that the said pl.ffs ought
to recover their damages by occasion of the premises aforesaid to the Sum of twenty
pounds Sixteen shillings and nine pence Sterling and Costs of Suit this she the said pl.ff
does not gainsay. Therefore it is Considered by the Justices here the second
day of October Anno Domini 1711 that the said John Mayhew & Company recover
against the said Eliz.a Keech as well the Sum of twenty pounds Sixteen shillings and nine
pence Sterling their damages aforesaid in form aforesaid Confessed as also the sum of
pounds of Tobacco by the Court here adjudged unto them

them for their Costs and Charges by them about their Suit herein the defendant
out of his Estate to be levied the def.t in Mercy &c. - M.r Thos. Gleaf by their attorney aforesaid
Execution of this Judgment Vol. 7 Twenty fifth day of December next

Att Dan.l Lower — } Maryland ss
Wm Francis Thorowgood } Francis Thorowgood of Somerset County planter
was attached to answer unto Daniel Lewis of a plea of Trespass
on the Case

And Whereupon the same Daniel by William Wrent his attorney Complained
that whereas a certain Richard Wood the Eight and twenty day of July Anno Domini
Seventeen hundred and Sixteen at Annapolis in the County of Annapolis according to the
Custome of Merchants and others of this the province of Maryland and the
City of London in England of old used made and drawn his Bill of Exchange
with his proper hand subscribed bearing date the day and year aforesaid to a certain John
Hyde Merchant in London resideing and negotiateing directed and by the same
Bill required the said John Hyde at Twenty days Sight of such Bill of Exchange
his first or second of the same Tenor and date not being paid to pay unto the aforesaid
Francis or his order the sum of Eleven pounds Eleven shillings and nine pence sterling
for value of him received with Costs and charges at the County aforesaid and before the Sight
thereof by the said John Hyde the aforesaid Francis by Indorsement with his proper hand
subscribed according to the Custome of Merchants aforesaid ordered the aforesaid sum of Eleven
pounds Eleven shillings and nine pence sterling to be paid to the aforesaid Daniel or his order
for value of him received and afterwards the aforesaid John Hyde at London aforesaid on the Eleventh second
day of Nov.r Anno Domini Seventeen hundred and nine at London aforesaid and
County aforesaid Indorsed and then and there was requested to pay the aforesaid sum of Eleven
pounds Eleven shillings and nine pence sterling to the said Daniel and the aforesaid Daniel
in fact says that the aforesaid John Hyde after the Twenty days of the aforesaid Bill and
notice as aforesaid hitherto hath not paid to the aforesaid Daniel or his order the aforesaid sum of
Eleven pounds Eleven shillings and nine pence sterling and that for want of Payment
thereof the aforesaid Daniel after the Twenty days Sight of the aforesaid second Bill by the aforesaid
John Hyde on the two and twenty days of Nov.r in the year Seventeen hundred
and nine aforesaid at London aforesaid in Anno.d County last protested a Certain
protested the aforesaid second Bill of Exchange the first or third of the same Tenor
of all being paid according to the Custome of Merchants aforesaid and notice thereof
Francis the first day of Sept.r Anno Domini Seventeen hundred and Ten at the
County aforesaid had notice in Consid.n thereof and of the Custome aforesaid
Same Francis the day year and place last above in and upon himself
assumed and to the said Dan.l there and there faithfully promised that he the
said Francis the aforesaid sum of Eleven pounds Eleven shillings and nine pence
sterling to the said Dan.l when after thereunto required would well and truly Content and
pay Nevertheless the aforesaid Francis his promise and assumpsit aforesaid made not
regarding but minding and fraudulently intending the said Dan.l in
this plea craftily and subtilly to deceive and defraud the aforesaid sum of
Eleven pounds Eleven shillings and nine pence sterling to the said Dan.l when
required