Maintain and that they to that writt of Sup^r in Manner and form aff
made have no cause nor by the law of the land are bound to Answ^r wherefore
they pray Judgment of the aff writt of Sup^r and that the aff John Dodd from
barring his Execution aff ag^t them may be barred &c. And for Causes of
Demurr &c. in law to that Sup^r according to the form of the statute in Such
Cases lately made and provided the said Vbgale Jacob & Barton Sim^ons to
the Court here shew the following Causes Viz^t

1st That it is not alledged before what Justice by name the Plea Especially
the bayle was taken nor before what Justice by name the Judg^t was Allowed

2d That the recog^ce supposed to be made is uncertaine uncertain & wants form

3d That the Sup^r does not Contain in it Self Suff^t matter to intitle the aff^t to an
Execu^n ag^t the def^ts nor have they alledged any breach of the Condition of
the recognizance pretended to be entred into by the def^ts nor is it appeares
by their own shewing way the record of the recog^ce and of the Proceedings
thereon the pretended Judg^t is supposed to be founded doth
legally remove before the Justices of the prov^l Court nor had there been
a breach do they intitle themselves to the benefit thereof and that by
whose writ and return thereupon is insuff^t uncertain & wants form

But the said John Dodd all the Solemnity Called Comes not but
made default nor does he further Speak to the said writt of Sup^r ag^t the
said defendants —

Therefore it is Considered by the Justices here this 10th day of
July Anno Dom^i 1714 that the said John Dodd take Nothing by his writt
aff and that the said Vbgale Recovr Jacob Miller & Barton Smoot go
thereof wth out day And also it is Considered by the Justices here that
same day & year last mentioned that the said Vbgale Recovr Jacob Miller
and Barton Smoot Recover ag^t the said John Dodd the sum of
1062 pounds of Tobacco by the Court here
Adjudged unto them for their Costs and Charges by them about their
defence in their behalf laid out & expended Awarding to form of the
Statute &c.

D D Amos Garrel
vs
Vbgale Recovr Jacob Miller & Barton Smoot for the Sey mour

Mr the said Amos Garrel by Danl Dulany his att^y sued out his writ of Sup^r ag^t the def^ts the tenth of
wch follows in these words Viz^t

Anne by the grace of God of Great Brittaine France and Ireland
Queen defender of the faith &c. To the Shrif of Charles County greeting
Whereas Vbgale Recovr Jacob Miller & Barton Smoot of Charles County

(plaintiff)

July Court 1714

planters the twenty eth day of November in the tenth year of our reigne &c. Came
into our County Court of Charles County held at Porobacco before our Justices
of the same County Court and became Jointly and Severally one of them by
himself became Secured for this Seymour late of Charles County Esqr unto
Amos Garret Esqr in the sum of twenty pounds Sterl^g in a plea of the Crass upon the
Case in our said Court then and there depending between the said Amos Garret
plaint^ff and the said this Seymour late of Charles County Esqr defend^t, which said
sum the said Vbgale Recovr Jacob Miller and Barton Smoot bounded to
and Granted and Each of them for themselves and their heirs to be made and levyed
of their lands and Chattells to the use and behoof of the said Amos Garret &c.
Condition that if it should happen Judgment in the same Court in the plea aff
ag^t the aff this Seymour should be had and obtained that then the same Thomas
Seymour all damages wch to the said Amos Garret by Occasion of the plea aff ag^t
the same this Seymour in the same Court there should be adjudged would satisfie
or his body in Execution of such Judgment to the Custody of the Shrif would render
&c., And whereas the record and proofs of the plea aff by Vertue of our writt of
Certiorari to our Justices aff directed wth all things touching the same the plea
aff and determined depend sent before our Justices of our prov^l Court held
at Annapolis the Seventh day of October Anno Dom^i seventeen hundred &
twelve, And whereas the said Amos Garret lately in our prov^l Court held
at the City of Annapolis aff the fourteenth day of April in the twelfth year
of our reigne &c. Anno Dom^i one thousand seven hundred and thirteen by judg^t
of our said Court recovered against the said Thomas Seymour in the plea aff
as well the sum of fifteen pounds Sterl^g and the damages sterling certain
damages which the said Amos Sustained by Occasion of the non performance
of the promise and Assumpt^n of him the said Thomas Seymour as one thousand four
hundred and seventy pounds of Tobacco to him the said Amos adjudged for his Cost
and Charges in the same suit laid out and expended whereof the said this Sey
mour is by the record and proofs thereof remaining in our prov^l Court
before our Justices of the same Court Manifestly appeareth Nevertheless the Sey
this^d Thos. Seymour the damages and Costs aff to the aff Amos Garret
hath not nor his body in Execution to the Custody of the Shrif therefore render
as by the Insinuation of the aff Amos in our prov^l Court aff we have received
Wherefore upon the said Amos hath supplicated us fitt remedy for him in that
to provide, and because we well that those things which in our said prov^l
and County Courts are rightly done and acknowledged should be brought
to a due Execu^n We Command you that by good and lawfull men of your
bailywick you make known unto the said Vbgale Recovr Jacob Miller and
Barton Smoot that they be and appear before the Justices of our prov^l
Court to be held at Annapolis the second tuesday of October next to shew
Cause if any thing for themselves they have or know to say why the said Amos
Garret aff Execution of the said Sum of twenty pounds Sterl^g ought not the said Vbgale
Recovr Jacob Miller and Barton Smoot according to Acknowledg^mt
of Jeopardy aff he ought not to have if to them it shall seem meet and
have you then there the names of those by whome you make the same known
this Writ witness Wm Holland Esqr Chief Justice of our said Court the second day of the
in the 13th year of our reigne Anno Dom^i 1713

D Dulany

Jo Beale Cl