things that thereby they have lost may be restored &c. And also it is Considered
by the Justices here the same day and year that the said Jno Whittington and
William Swealnam adms as aforesaid recover of the said Chris. Batchan the
Sume of [illegible] pds of Tobacco to the
Jno Whittington and Tom Swealnam adms as aforesaid by the Court here adjudged for
their Cost and Charges by them upon the Prosecution of their writt of Error
Laid out & expended and that the said Jno Whittington and Tom Swealnam
adms as aforesaid have thereof their Execution &c.

Susanna Mason
vs
Jno Hanson Junr

} The Justices of Her Majtys County Court of Charles Transmitt to Her Majtys Justices of the Prov. Court of the province of Maryland the following record On an appeale made by the said Susanna Mason from the said County Court, the tenor of which follows in these words viz.

Charles County ss.

Anno Domini 1713

At a County Court of our Sovereigne Lady Anne by the grace of God of Great Britaine France and Ireland Queene Defendr of the Faith &c. held at Porobacco on the Nineth day of June in the twelfth year of the reigne of Our said Lady the Queen &c.

Before the worshipfull Philip Hoskins
Tom Hurtford Robert Gales
Edmund Howard Gerrard Fowke
Jno Hendall Thomas Stone
Joseph Harrison
} Gent. Justices authorized

The Deed Goods being sworne Jno Rogers Clk.

In the records of said Courts proceedings amongst other things it is Contained as follows

Susanna Mason
vs
Jno Hanson Junr

} Tr. Cas. Assumpsit &c.
Charles County ss. John Hanson Junr late of Charles County planter was attached to answer unto Susanna Mason in a plea of Trespass upon the Case &c.

And whereupon the said Susanna by Richard Lewellin her attorney Complaining that whereas Merchants and others of this province of Maryland and the City of London in the Kingdom heretofore of England now of Great Britt within the same province and City there has been and still is a Custome used and approved (the Contrary whereof in the Memory of Man is not known) that a Merchant or other person within the province aforesaid should make & draw three bills of Exchange all of one Tenor and date with his or her hand and Name to the same Subscribed and should direct the same to a Merchant or other person Residing in London aforesaid requiring him at such time as in such bills should be limitted to pay the Sume of Money in the same bills mentioned to the person therein Named and appointed to receive the same or his or her ordr and that the person on whome such bills should be so as aforesaid drawn should refuse to pay the Sume of money in such bills mentioned to the person to whome the same was so made and drawn payable or his or her ordr and thereby the same bills or one of them should be protested that then the person with whom so as aforesaid made and drew

July Court 1714.

drew such bills of Exchange upon Notice to him Given of such refusall and protest by the Custome aforesaid was and is Chargable with and Obliged to pay to the person to whome such bills should be so as aforesaid made and drawn payable or his or her ordr the sume of money in the same bills mentioned with all Cost damages and Interest suffered & to be suffered by Means of such refusall Nonpayment and protest aforesaid And the said Susanna in fact says that the said John Hanson Junr the twelfth day of October in the Year of our Lord One thousand Seven hundred and Six at the County aforesaid within the province aforesaid and within the Juriscdn of this Court according to the Custome of Merchts and others aforesaid made and drew his first bill of Exchange with the second and third of the same tenor and date with his own hand and name to the same Subscribed bearing date the day & year aforesaid and to a certaine John Hyde Mercht in London residing and thereby requesting him the said John Hyde at twenty days Sight of such first bill of Exchange his ollders or one of them of the same tenor and date being mean and to pay or Cause to be paid unto the said Susanna Mason or order the just Sum of Eight pds two Shillings & nine pence Sterling money of England made good pay & place the same to the acct of the said John Hanson Junr and that afterwards to wit the twelfth day of January in the Year of our Lord One thousand seven hundred and Eight at London aforesaid the said John Hyde by the ordr of the said Susanna Mason was requested to pay the said Sume of Eight pds two shill & nine pence mentioned in the bills aforesaid according to the form and effect of the same bills & the said Hyde then & there did absolutely refuse to pay whereupon the said Susanna afterwards to wit the one twentyeth day of January in the Year of our Lord aforesaid to the Customd aforesaid did protest or Cause to be protested the first of the said bills of Exchange the second and third of the same Tenor and date or One of them not being protested and the twenty days Sight therein mentioned being elapsed since presentation of the same for Acceptance as by the said first bill of Exchange and protest thereof aforesaid here ready in Court to be produced may appear Whereof and of all & singular the premisses the said John Hanson Junr afterwards to wit the first day of March in the Year of our Lord One thousand Seven hundred and Eleven at Charles County aforesaid within the Juriscdn of this Court in Consideration whereof and of the Custome aforesaid the said John Hanson Junr assumed upon himself and to the said Susanna then and there faithfully & truly promised that he the said Jno the said Sume of Eight pds two shill and nine pence Sterling & all Cost damages and Interest suffered & to be suffered and sustained by Means of the Nonpayment and protest aforesaid to the said Susanna when thereunto requested well & truly to Compleat & pay Yet Nevertheless the said Jno Hanson Junr his promise and Assumption aforesaid not regarding but Fraudulently intending the Damage of the said Susanna in this behalf Craftily and Subtilly to deceive and defraud the said Jno the said Sume of Eight pds two shill and nine pence Sterling with all Cost damages and Interest suffered and sustained by means of the Non payment and protest aforesaid or any part thereof to the said Susanna has not paid although afterwards to wit the Eighth day of March in the year aforesaid there unto legally requested but the same to pay has refused and still does refuse to the damage of the said Susanna Sixteen pds Sterling & thereupon she brings this suit &c.

Pltfs Judgt Dom Quer &c.

And the said John Hanson Junr by Dan. Dulany his attorney comes and defends the force and injury when &c. and prays Leave thereof to imparle whereunto the said Court to be held here on the twentieth day of May next

and