and as to the sume of one hundred and nine pounds and nine shillings pence Stert residue of ye aft
sume of one hundred and twenty two pounds three shillings and nine pence Stert with the Interest
of twenty pounds ye Ch Stert thereon amounting in the whole to ye sume of one hundred forty six
pounds twelve shillings and six pence three farthings they say the said Benj Brainos his accon
aft of them ought not because they say that after the protestation of the said bill that is to say
on the twenty sixth day of April in the year of our Lord God one thousand seven hundred eight teen
Kent County satisfyed and paid unto the Benj Brainos the sume of one hundred and nine pounds
and nine pence Stert in full satisfaction of ye aft sume one hundred and nine pounds nine
pence residue as aft which said sume of one hundred and nine pence Stert he the said Benj Brainos
did receive and accept of them the said Richard and Mary in full satisfaction of the debt aft and
this they are ready to verify whereofore they pray Judg if the aft Benj his accon aft aft they
to have maintained ought &c

And the aft Benj Brainos says that the aft Rich
Mary or either of them did not satisfye or pay unto him the Benj the sume of one
hundred and nine pounds and nine pence Stert in full satisfaction of the sume of one
hundred nine pds and nine pence residue of ye sum of one hundred and twenty two pounds
three shill and nine pence Stert with Interest of twenty pounds ye Ch Stert thereon amounting
in whole to the sume of one hundred forty six pounds twelve shill six pence three
farthings Stert the day year & place above in pleading set forth by the said Rich & Mary
and that he prays may be inquired by the Country

Eyre Noble including the said defendts by their attorney after imparlance being the Accomment aft
by them above pleaded except a plea of payment of the said sum of twenty
pds in which plea they do not Gainsay
they say that they cannot Gainsay the pltff his accon aft as aft against them brought nor Cause
they say but that the said pltff ought to recover his damages by occasion of the premisses aft
to the sume of Ninety five pounds Eighteen shill and four pence Stert and Costs of Suit
against them to be levyed of the Goods and Chattels wch were of the said Jno Carvill at the time
of his death in the hands of the said Rich Smithers and Mary aft as aft
which the said pltff does not Gainsay — Therefore it is considered by the
Justices here the 9th day of April Anno Domi 1717 aft that the said Benj Brainos
recover against the said Richard Smithers and Mary his wife Ex aft as aft as well the sume
of Ninety five pounds Eighteen shill and four pence Stert his damages aft in form aft
confessed as also the sume of pounds
of tobacco by the Court here adjudged unto him for his Costs and Charges by
him about his suit in this behalf laid out & expended and the said pltff in mercy
to be levyed of the Goods and Chattels which were of the said Jno Carvile at the time
of his death in the hands of the said Rich Smithers and Mary his wife Ex aft as aft
remaining to be administred & if so much thereof in their hands they have & if so
much thereof in their hands they have not the Costs of Suit aft to be levyed
of the proper Goods & Chattels of the said Rich Smithers & Mary his wife And the
defendts in Mercy &c

Benj Brain } Whereas Receipts appear from Richard Buckley & David Willes for one hundred
John Carvile Exr } Bushells of Corn and Six hundred Bushells of Corn by Anthony Bell Said to be
received on the Acct of Mr Gilbert Falconer And allowed to be paid by Richard Smithers
towards a Debt due from him as Exr of the said Carvile to the pltff the Value of which Corn Cist appears
to have been paid as aft to be paid not aft allowed out of ye Judgmt 15 April 717 — D Bullany Atty for Pltff

All which is to be Settled & Adjusted by James Harris Esq Stay of Execution for
two Months to Ascertain the Same D Bullany

Pltff Thomas Bolt
vs
Mr Michael Butlerworth } Mr the said Michael Butlerworth sued out his Maj Writ of Habeas
Corpus the Tenor of which follows in these words Viz

April Court 1717

George by the Grace of God of Great Britain France and Ireland
King defend of the Faith &c To the Justices and Sheriff of St Maries County Court Greeting Whereas a
certaine Michael Butlerworth of St Maries City Planter otherwise called Michael Butlerworth is detained
in the prison of our said City under the custody of you our said Sheriff at the Suite of a certaine Thomas
Bolt in a plea of Debt for the Sume of Six thousand pounds of Tobacco which said plea and the said Suite
depends before you our said Justices undetermined and we being willing for divers Causes that the
plea aft undetermined as aft shall be heard and determined before the Justices of our Prov Court We therefore
we command you that you have the body of the said Michael Butlerworth by whatsoever name he be called
in the plea aft together with the day and Cause of his Caption and Detainer and all things thereunto relating
before the Justices of our Prov Court to be had at Annapolis the first day Tuesday of May next that our
Justices of our said Prov Court may further proceed thereon according to Justice Upon ye due hearing of Suite not at your
Peril and have you then there this writt Witness William Holland Esq Chief Justice of our said Prov Court
Cost the 14 day of Sept in the Second year of our Reigne & Annoq Domi 1714

Macnemara — John Beale Cler

Allowed per Saml Young

Now here at this day to wit the the Justices and Sheriff of St Mary County
in compliance with the writt to them Directed as aforesaid Transmitt to his Majesties Justices of the
Provincial Court here the following Record Viz

In the Records and proceedings of St Maries County Court among other things therein is this Contained

Anne by the Grace of God of Great Britain France & Ireland Queen defend of the Faith &c To the
Sheriff of St Maries County Greeting &c Command you that you take Michael Butlerworth of St Maries
County planter otherwise called Michael Butlerworth if he shall be found in your bailywick and him
safe keep so that you have his body before the Justices of Our County Court to be held at Seymour town on
First Tuesday in November next to answer unto Thomas Bolt of a plea that he render unto him Six thousand
pounds of tobacco &c to him he Owes and Unjustly Detaines &c he cost Fail not at your peril &
have you then there this writt Witness William Asquith Gent Chief Justice of our said Court the 2 day of
August in the 13 year of our Reigne & Annoq Domi 1714 — Henry Lowe Clerk

Dullany Signed Bell 25

Cept Henry Lowe Sheriff

Att a Court held at Seymour Town in for the County of St Maries the second day of November
being the first Tuesday of the same Month in the first year of our Sovereign Lord King
George of Great Britain France & Ireland King Defend of the Faith &c an in the year of our Lord God
one thousand Seven hundred and fourteen — By his Majesties Justices thereunto Authorized & Assigned

Present

The Worpfl Col Wm Asquith — Mr Adam Bell
Capt Henry Peregrine Jenkins — Mr James Bowles
Capt Thomas Freeman Greenfield — Mr Samuel Williams
Mr Thomas Griffin

And

Thomas Bolt
vs
Michael Butlerworth } St Marys Co: to Michael Butlerworth of St Marys County planter
otherwise called Michael Butlerworth was Summoned to
Answer unto Thomas Bolt of a plea that he render unto him
Six thousand pounds of Tobacco &c is to him he Owes & Unjustly
Detaines &c

And Whereupon the Same Thomas by Daniel Dullany his Atty Complaines that
Whereas