Richard Warfield Jun.r David Wams, Abell Hill Gapowan Wathins & Robert Welsh who being Duely Elected tryed & Sworn to Say the truth in the premisses after the Evidence of & Upon the premisses & p.r was to them Given from the Barr of this Court to Commune Among themselves Concerning their Verdict of & Upon the Premisses aforesd. Departed and After the Said Jurors had Communed Among themselves and were Agreed to the Same Barr to render their Verdict in this behalf Returned Whereupon the Said Thomas Prather being Solemnly called Comes not nor Does he Further Prosecute their Writt aforesd. against the Said William Black.

Test Wm Jennings Clk of Assize

Therefore it is Considered by the Justices here the Day & Year last mentioned that the Said Thomas Prather Sur.r & his Pledges of Prosecuting be in Mercy &c. And that the Names of the Said Pledges be Sought for &c. And that the s.d Thomas Prather go thereof without Day. And it is Considered by the s.d Justices that the s.d William Black Recover against the Said Thos. Prather the Sum of

Pounds of Tobacco by the Court here adjudged unto him

1397lb. for his Costs & Charges by him about his Defence in this behalf Laid out & Expended

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Dd John Furley ....
W Thomas Harris } Maryland ss. / Thomas Harris of Baltimore County Planter otherwise Called Thomas Harris was Summoned to Answer unto John Furley of a Plea that he render unto him the full & just Sum of Eighty pounds sterling money which to him he Owes and Unjustly Detains &c.

And Whereupon the Same John by Dan.l Dulany his Att.y Saith that whereas the af.d Thomas the Twentieth Day of May in the Year Our Lord Seventeen hundred & twenty Six at Ann Arundell County by his Certain Writing Obligatory Granted himself to be held & firmly bound unto the Said John in the full & Just Sum of Eighty Pounds Sterling to be Paid to the Same John when thereunto afterwards he Should be Required Nevertheless the af.d Thomas altho often required the af.d Sum of Eighty five pounds Sterling to the af.d John hath not Paid but that unto him hitherto to Pay altogether hath refused & Still doth Refuse to the Damage of the Said John Eighty Pounds Ster.g & therefore he brings Suit & brings hereunto Court the Writing af.d which the Debt af.d in forma p.d Doth Testify the Date whereof is the Day & Year af.d Ff. John Doe & Rich: Roe

And the s.d Thomas Harris by William Cumming his Att.y Comes & Defends the force & Injury when &c. And Prays a hearing of the writing Obligatory af.d and it is read unto him he likewise Prays a hearing of the Condition of the Same Writing and it is read unto him in these Words p.d:

Which being read & heard the s.d Thomas by his Att.y af.d Prays leave to Imparle hereunto untill Next Court he hath it & the Same Day is given to the s.d John Furley also. At which Said Next Court to wit the 16th Day of Oct.r Anno Dominij 1734 Comes again the s.d parties Plf. & Def. by their Att.ys af.d & the s.d Def. by his s.d Att.y Prays further leave to Imparle hereunto untill Next Court & he hath it & the Same Day is given to the Plf. also.

At which s.d Next Court to wit the 8th Day of July Anno Dominij 1735 Comes again the Said parties Plf. & Def. by their Att.ys af.d & the s.d Def. by his s.d Att.y Prays further leave to Imparle hereunto untill Next Court & he hath it & the Same Day is given to the Plf. also.

At which s.d Next Court to wit the 21st Day of October Anno Dominij 1735 Comes again as well the s.d John Furley by his Att.y af.d as the s.d Thomas Harris by his Att.y af.d & the Said Thos. Harris by his Att.y aforesd. Defends the force & Injury when &c. And saith that the s.d John Furley his Action af.d against him to have Ought not because he Says that the Same James Rider in the Condition af.d mentioned after the making the Writing Obligatory af.d & before the Impetration of the Originall Writt of the s.d John Furley To wit, on the Fifth Day of April Anno Dominij Seventeen hundred & thirty four at Ann Arundell County af.d he the s.d James Rider Did Satisfie & Pay unto the s.d John Furley all Costs Damages already Due And that had Accrued by the means of Suing out of the Writt of Injunction in the Condition of the Writing af.d mentioned According to the form & Effect of the Condition af.d And this he is ready to verifie Wherefore he Prays Judgment if the s.d John Furley his Action af.d against him to have Ought &c.

And the s.d John Saith that he by any thing alledged from having & Maintaining his Action af.d ought not to be barred because he Saith that at a Chancery Court held at Annapolis the Nineteenth Day of Feb.y Anno Dominij Seventeen hundred & thirty three before his Excellency Sam.l Ogle Esq.r then & Still Chancellor of Maryland it was Ordered Adjudged & Decreed that the s.d Injunction should be Dissolved & the Bill & Ins.ts filed by the s.d James Rider against the s.d John Furley dismissed & that the s.d James Should Pay unto the s.d John Furley Two thousand Seven hundred & Seventy five Pounds of Tobacco for his Cost in the Said Suit Expended & the s.d John Furley further Saith that he the s.d John Furley Sustained Damages by Occasion of the Suing forth the Writt of Injunction af.d to the Value of forty Pounds Sterling besides the Cost af.d Whereof the s.d James Rider had Notice & that the s.d James Rider did not Obtain any Decree of the Chancery Court against him the s.d John Furley in the Cause af.d And the s.d John Furley further Saith that the s.d James Rider altho often required the Cost or Damage af.d or any Part thereof to the s.d John Furley hath not Paid but the Same to him hitherto to Pay hath refused & Still doth refuse & this he is ready to Verifie & therefore Prays Judgment for his Debt af.d together with his Damages which he Sustained by Occasion of the Detention of that Debt to be to him adjudged. (And)