the ptt Richd Savage and then and there requested him to accept of
Same or pay the said sum of thirteen pounds two shill and eleven pence
Sterl therein mentioned and the Author in said says that the said
Richard Savage the said first bill of Exchange to accept or the said
sum of thirteen pounds two shill & eleven pence Sterl or any part
thereof to pay did refuse wherefore the said Amos the day & year
last produced according to the Custome ptt at London ptt the first
bill ptt (the second third and fourth of the same tenor and date
being unpaid) did protest or cause to be protested and afterwards
to wit the twentyeth day of August Anno Dom one thousand
seven hundred and ten at Charles County ptt within the Jurisdn
ptt gave notice thereof to the said Thomas in Consideration
whereof and the Custome ptt the ptt Thomas upon himself
assumed and to the ptt Amos then and there faithfully promised
that he the said Thomas the ptt sum of thirteen pounds two shill
and eleven pence Sterl and all Costs Interest Damage and Charges sustained
by occasion of the non payment of the said sum of thirteen pounds
two shill & eleven pence Sterl to the ptt Amos when thereunto required
would well and truly Content and pay Nevertheless the ptt Thos
his promise and assumpt ptt not regarding but minding and
fraudulently intending him the said Amos in this part Crastily
and subtilly to deceive and defraud the ptt Thomas the said sum
of thirteen pounds two shill and eleven pence Sterl the Costs damage
Interest and Charges Quashioned and sustained by means of his
protesting the bill ptt or any part thereof to the ptt Amos at the
time aforesaid to wit the tenth day of April Anno Dom one thousand
seven hundred and Eleven at Charles County ptt within the
Jurisdn ptt was thereunto reqd hath not paid but the same or
any part thereof to him to pay hath refused and still doth refuse
whereby the said Amos says he is the worse and damnified to
Value of twenty pounds Sterl & therefore he brings his Suit &c

Dullany pltff Quare

And the said Thomas Seymour by Coriolus Wheeler his attorney
Comellissabeing to himself all exceptions of advantages of
well to the writt as to the dec ptt and prayeth Liberty thereof
to imparle here unto the next Court to be held here on the
Eleventh day of March next and he hath it and the same day
is given the said Amos here etc — And it was Continued by two dies
Imparlance unto this day to wit the said tenth day of Instant
at which day came as well the said Thomas as the said Amos by
their attorneys ptt and the said Amos by his attorney ptt produced the log
(Court)

Court here hereunto ye log writt of Capt Rose in these words

Maryland ss. Anne by the grace of God of Great Britain France and Ireland
Queen defender of the Faith &c to the Justices Clerk of Charles County Greeting
whereas a certain Amos Garrett has Commenced his certain action
of trespass upon the case which said action still depends before you or some
Justices (as the case may be) undetermined and we being willing for divers Causes
that the action ptt undetermined as ptt be heard and determined before
the Justices of our prov Court We therefore Command you that the
record and process in the action ptt and all things thereunto relating
under your hands and seals distinctly and openly you send and certify
to our Justices of our prov Court to be held at Anne Arundel the first
Tuesday of October next that our said Justices of our prov Court may
further proceed therein as to justice appertaining ought thereof you are not
to fail and send you then there this writt Witness Nicholas Bordley Esqr
Justice of our said prov Court the 18th day of July in the year of our
Lord Anno Dom 1712 Dullany

Nicholas Bordley Clk

Vera Copia Test — Rice Rogers Clk

And now here at this day to wit the 14th day of October Anno Dom 1712
ptt Comes the said Amos Garrett by Dan Dulany his attorney into the
Majtys prov Court before the Justices thereof And whereupon it is ruled
by the Justices of the said prov Court at the prayer of the ptt that unless
the defend appear in ptt Court and plead by the second day of this same
Court judgmt to be then entered ptt the defend by default Copy of this
rule to be left at the place of the defts last abode & Copy of which rule
was ordered to be left as above rule and return made in ptt Court and this same
day is given to the ptt also Attorney of which said ptt Court to wit the 14th
day of April Anno Dom 1713 Comes against the said Amos Garrett by his
attorney ptt who made appear to the Court here that a Copy of the above
rule was served as above rule whereupon the ptt by his attorney ptt
prays that the said defend to his decl ptt in the plea ptt may answer
according to the rule ptt but the said defend at the solemnly called Comes
not nor Complyes with the rule ptt but makes default whereby the
said ptt remains ag the deft wholly undefended Therefore it is
considered by the Justices here the day & year last mentioned that the
said Amos Garrett recovery against the said Thomas Seymour as well the sum of
fifteen pounds fifteen shill & six pence Sterl [redacted] the damages
by occasion of the premises aforesaid as also the sum of
pounds of tobacco by the Court here
adjudged unto him [redacted] for his Costs and Charges by him about his suit in
this behalf laid out expended and the defend in Mercy etc

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