of Peace of the above decd on the Said Benjamin Ball in Custody as afsd
Therefore it is ordered upon the prayer of the plaintiff that another Copy
be made of the afsd Decd alledged as afsd and be againe Sent to the Sherrd
afsd to be Served upon the Said Benjn Ball in Custody as afsd in order for
Ryall next Court — And thereupon further day is given to the Said Benjn
Ball in Custody as afsd untill next Court & the Same day is given to
the plaintiff also —

At wch Said next Court to wit the 11th day of April Anno Domi 1710
Comes the Said Richard Johns by his attorney afsd and thereupon the Said
Benjn Ball in Custody as afsd by Thomas Macnamara his Attorney now
appears & defends the force & injury when &c & prays further Leave to Imparle
thereunto untill next Court & he hath it & the Same day is given to the plaintiff
also —

At which Said next Court to wit the 1st day of July Anno Domi
1710 Comes again the Said Richd Johns Junr by his attorney afsd & prays
that the Said Benjn Ball to his decd in the plea afsd may answer but the
Said Benjn Ball in Custody as afsd altho' Solemnly Called Comes not but
makes default whereby the Said plaintiffs Summons against the Said
defendt wholly Undefended —

Therefore it is Considered by the Justices here this 11th day of July Anno
Domi 1710 that the Said Richd Johns Junr Recover against the Said
Benjn Ball in Custody as afsd as well the Summe of Eight pounds Eleven
Shillds and Seven pence his damages by occasion of the promises afsd
as also the Summe of 1076 pounds of Lawfull money
the Court here adjudged unto him for his Costs & Charges by him about
his Suit in this behalf laid out & expended & the defendt in Mercy &c

Witts Richard Johns Aquila Johns
& Margt Johns & Rebecca Johns
Witts Daniel Jenifer

Annand Connly ss
Dan. St Thomas Jenifer of Calvert County plaintiff was attached to answer unto Richd Johns Aquila Johns and Margarett Johns Wido. &c of ye Last will and testament of Abraham Johns deced of a plea of trespass on ye Case &c:

Vide rec. for this day & Judgment Book T p. 238

And thereupon the Said Margaret and Richd by Wornell Hunt their attorney Complaine that whereas the afsd Dan. St the twenty first day of August Anno Domi 1710 at Anne Arundell County afsd according to the Custome between Merchants and others of this the province of Maryland and the Kingdome of England of old Used made and drew his Second bill of Exchange with his proper hand subscribed bearing date the day & yeare afsd to a Certaine Tobias Bowles Mercht in Dealer in the Land residing and negotiating directed and by the Same bill requested the Said Tobias at Twenty days Sight of Such bill of Exchange his first third nor fourth of the Same tenor & date not being paid —

(to)

unto the afsd Abraham or his order the Summe of twenty Seven pounds ten Shillds Curr.t
money of England for Value received whereof the afsd Tobias afterwards on the twenty
Sixth day of March Anno Domi 1707 at Bristol afsd hadnoue & then & there war-
ranted & requested to pay the Said Summe of twenty Seven pounds ten Shillds to the order of the
afsd Abraham and the afsd Marg.t & Richard in fact say that the afsd Tobias after
twenty days Sight of the afsd bill and notice as afsd hitherto hath not paid to the afsd Abra
or his order the afsd Summe of twenty Seven pounds ten Shillds & that for want of payment
thereof the afsd Abraham after the twenty days Sight of the afsd bill by the afsd Tobias &c
on the afsd 26th day of March in the yeare 1707 afsd at Lond.n afsd in the Kingdome of
England protested or Caused to be protested the afsd Second bill of Exchange the first
third & fourth of the same tenor & date not being paid according to the Custome
of Merchts afsd whereof the Said Dan. St the first day of May 1709 at the County of Anne Ar-
rundell afsd & then & there upon Summons
in Consideration thereof and of the Custome afsd then & there upon Summons
assumed & to the Said Marg.t & Richard the Said first day of May 1709 faithfully promised
that he the afsd Dan. St the Said Summe of twenty Seven pounds ten Shillds together with all
the damages interest & Costs by the Said Abraham suffered or to be suffered by reason of the
protesting of the bill afsd to the Said Margarett and Richard which after the rounds
required would well & truly Content & pay Nevertheless the afsd Dan. St his promise &
assumpcon afsd not regarding but minding and fraudulently Intending the
Same Abraham in his Lifetime and the Said Margarett & Richard his & Ex. since
his decease afsd in this the Craftily & subtilly to deceive & defraud the afsd Summe of
twenty Seven pounds ten Shillds or the Interests damages & Costs of the protest afsd or
any part thereof to the Said Abraham in his Lifetime or to the Said Marg.t &
Richard Since his decease altho' required the 19th day of June 1709 by the Said
Margarett & Richd at the County of Anne Ar afsd hath not paid but the Same to them
to pay hath refused & still doth refuse to the damage of the Said Marg.t & Richd
Store & Therefore they bring their Suit &c — and bring into Court the Letters Lega-
mentary of the Said Abraham by which they —

Pleg. Jno Doe and Rd Roe —

And the Said Dan. St Thomas Jenifer by Jno Mladen & Richd Dallain his Attys
Comes & defends the force & injury when &c & prays Leave to Imparle thereunto
untill next Court & he hath it & the Same day is given to the plaintiffs also

At wch Said next Court to wit the 11th day of April Anno Domi 1710 Comes again
as well the Said Richd Johns Aquila Johns & Margt Johns &c as afsd by their attorney afsd
as the Said Dan. St St Thomas Jenifer by his attorney afsd & the Said Dan. St St Thomas
Jenifer by his Said attorney prays further Leave to Imparle thereunto untill next Ct
& he hath it & the Same day is given to the plaintiffs also

At wch Said next Court to wit the 11th day of July Anno Domi 1710 Come again the
Said Richd Aquila & Margt &c as afsd by their attorney afsd as the Said Dan. St St
Thos Jenifer by his attorney afsd & thereupon the Dan. St St Thos Jenifer by his
Sd attorney as before defends the force & injury when &c and Says that he
Cannot Gainsay the plaintiffs their action afsd against him brought nor
can he Say but that the Said plaintiffs ought to Recover their damages by occasion
of the premises afsd to the Summe of thirty three pounds Sterling and Costs of Suit against
him wch Sd plaintiffs do not Gainsay — Wherefore it is Considered by the Justices here
the 11th day of July Anno Domi 1710 that the Said Richd Aquila & Margt &c as afsd recover
against the Said Dan. St St Thomas Jenifer and ye Summe of thirty three Sterling
their damages afsd in form afsd Confessed as also the Summe of
800 pounds of Tobo by ye Court here adjudged unto them for their Costs & Charges about their Suit in
this behalf laid out & expended & the defendt in Mercy &c