and obliged to the said John in the said summe of twenty pounds sterling
pounds of good sound merchantable Marylande tobacco with good sufficient lo
contained to be paid to the said John Wollittington or his true
lawfull attorney Letter bord or assigns to the writing payment well & truly
and truely to be made the said William did bind his heires & executors
administrators firmely by the said bond or writing obligatory yet notwithst
ing the said William his summe of twenty pounds sterling & pounds of tobac
according to the tenor of the said obligatory to the said John hath not payd
although often demanded but to the said John to pay hath hitherto den
and still doth deny to the damage of the said John 30000. of tobacco —
And thereupon he brings his suite & the said William Hemsley by
Robert Carvile his attorney comes & defends the force & injury wher
and prayeth the hearing of the said writing obligatory and it is read
unto him. He also prayeth the hearing of the condition of the said writing
obligatory and it is read unto him in the words & the condition of the
obligatory is such that if the within named John Wollittington his heires
assigns and every of them shall & may for & henceforth from time
peaceably and quietly have hold occupy possess and enjoy all that parcell
of land called Hemsley Freeland lying and being on the east side of the
Wicester River in the County of Talbot in the province aforesaid containing
three hundred acres and every part and parcell thereof mentioned to be
bargained and sold by the within bound William Hemsley to the said
John Wollittington in & by a certaine Indenture of bargaine & sale bearing
date the day of the date within written made between the within bound
William Hemsley of the one part & the above named John Wollittington of
the other part clearly discharged or otherwise sufficiently saved harmless
of & from all manner of estates titles charges & encumbrances — wh
soever at any time heretofore had made committed permitted
suffered or done by the said William Hemsley or his mesne or executors
That then the said obligation to be void and of none effect or it to stand
and remaine in full force & vertue — And the said Robert Carvile
Barrister attorney for the said William Hemsley desires liberty to
imparle thereunto until the next provinciall Court which it is granted
that same day is granted to the plaintiff also —
Now here at this day to wit the second day of March anno Dni
1684 came the said parties by their attorneys aforesaid and the said
William Hemsley saith that the aforesaid John Wollittington aforesaid
against him ought not to have debt because he saith that he the said
John from the time of the making the writing aforesaid
hitherto hath peaceably and quietly had held occupied possessed and
enjoyed all that parcell of land called Hemsley Freeland lying & being
on the east side of Wicester River in the County of Talbot in the
province aforesaid containing three hundred acres & every part &
parcell thereof mentioned to be bargained and sold by the above named
William to the aforesaid John in & by a certaine Indenture of bargaine
& sale in the condition of the said obligation mentioned clearly discharged
or otherwise sufficiently saved harmless of & from all manner of
titles charges & encumbrances whatsoever at any time before the
of the date of the said Indenture of bargaine and sale had made com
permitted suffered or done by the said William Hemsley or by
mesne or executors according to the form & effect of the
aforesaid and the said he is ready to verify wherefore he prayeth
Judgment whether the aforesaid John ought to have his action afore
against him &c. —

Whereupon it is considered by the Court here the said second day of
March 1684 that the said John Wollittington his action aforesaid against
the said William Hemsley ought not to have and that the said John
Wollittington take nothing by his action aforesaid but be in mercy &c.
for his false clamour therein and that the said William Hemsley go
thereof without day and that the said William Hemsley recover against
the said John Wollittington his costs charges and damages laid out
and expended in the premisses to the summe of
pounds of tobacco according to the form & effect in that case made
and provided —

Henry Lawrence &c.
vs
Henry Hide
ag.
Garrett Vanswerington

Command was given to the sheriffe of St. Maries County that he make
known to Garrett Vanswerington that he be & appeare before the
Justices of this provinciall Court to be held at the City of St. Maries
the 30th day of October 1683 to shew cause why the tobacco of
the estate of Joshua Williamson attached in the hands of the said
Garrett at the suite of Henry Lawrence & his wife Executrix
of Henry Hide should not be condemned —
At which said 30th day of October the said sheriffe made returne of
the said writt of fieri facias that he had made known to the said
Garrett Vanswerington as required —
And the said Garrett Vanswerington comes & defends the force &
injury when &c. and prayeth liberty to imparle hereunto until the next
provinciall Court which it is granted unto him the said day is given
to the pltt also —
Now here at this day to wit the second day of March anno Dni 1684
came the said parties by their attorneys aforesaid and the said Garrett
saith that at the time of the issuing out of the fieri facias aforesaid nor
at the time of the issuing out of the said pltt the attachment to the said
Garrett was not any wayes indebted to the said Joshua Williamson in
the said attachment and fieri facias named but that long before the
had paid the same to William Harper the attorney of the said Joshua
Williamson and the he is ready to verify and demanded Judgment
if the said Henry his execution against the said Garrett ought to have —
Whereupon and upon the oate in open Court of the said Garrett to the
truth of what in his plea is contained it is considered by the Court here
that the said Henry Lawrence take nothing by his said writt but be in
mercy for his false clamour therein and that the said Garrett go thereof
without day and it is further considered that the said Garrett Vanswerington
recover against the said Henry Lawrence & his wife
pounds
Executrix as aforesaid the summe of
of tobacco damages & costs expended in & about the suite aforesaid —
according to the form & effect of the statute in that case made and
provided —

Nicholas Miller
ag.
Thomas Cooke Adm.
Samuell Cooke

Maryland ss:
Thomas Cooke late of Kent County administrator of the goods and chattells
of Samuell Cooke late of Calvert aforesaid was attached to answer unto Nicholas
Miller of a plea of trespasse upon the case —