day of the returne of the writt Comds the said Thomas Macnemara by Thos
Bordley his attorney and the Shff of ann Co to whome the same writt was
Directed Comes and makes returne thereof indorsed thereon Vizt
Nihill John Freshan Junr Shff
Nevertheless the said Nicholas Low Thomas Colyer Thos Edmondson by
Richd Dallam their attny appear & pray Leave to Imparle hereunto until
next Court & they have it & the same day is given to the pltf also — alws said
next Court to wit the 16th day of Octr anno Domi 1710 Comds again as well the
said Thomas Macnemara by his attny as the said Nicho Low Thos Colyer
Thos Edmondson by their attny &c Nicho Low Thos Colyer & Thos Edmondson
by their said attny pray further Leave to Imparle hereunto until next Court
and they have it the same day is given to the pltf also — alws said next
Court to wit the 16th Day of April anno Domi 1711 Comds again as well the
said Thos Macnemara by his attny as the said Nicho Low Thos Colyer &
Thos Edmondson by their said attny pray further Leave to Imparle hereunto
until next Court they have it the same day is given to the pltf also —
alws said next Court to wit the 17th days of July anno Domi 1711 Comds
again the said Thomas Macnemara by his attny & prays Execution &
the said Nicho Low Thos Colyer and Thomas Edmondson for the debt & Costs &
and Thos Nicho Low Thos Colyer & Thomas Edmondson for allies Solemnly
Called say nothing in bar or Prejudice of their respective pur dct they by
themselves or their attny likewise Cause why Execution should not be awarded &
so that the said Thomas Macnemara remain &c Whereas his Condition by the
Thomas Edmondson who by undertaking — Whereas his Condition by the
above the day & Year last mencond that the said Thomas Macnemara have
Execution as the said Nicho Low Thos Colyer & Thos Edmondson as well for the
Sume of Seventy seven pounds Currt Money Debt and the Sume of fifteen
hundred and thirteen pounds of Tobo the Costs & in the Judgmt specified as also
(24 and 25 Car.) pounds of Tobo for his Costs and Damages —
the Sume of sustained by reason of the delay & Execution of the Judgmt as aforesd — Memd that
after Sayd the Execution of the above Judgmt be stayed to the 20th of Octr next

Else were as lapsed to wit in Ord Ctt 1710

Thomas Colley of Calvert County planter may
attached to answer unto Christopher Smith otherwise Galtea of the Case &c —

And Whereupon the same day by Warrt Mort his attny Complaind
that whereas at a Court held at Patux the fifth day of Sept Anno Domi 1709 at Patux
in the County aforesd according to the Custome between Merchants and others
of this the province of Maryland and the City of London in England of old used
made and drew his first bill of Exchange with his proper hand subscribed bearing
date the day and Year aforesd to a certain Tobias Bowles Merchant in Deale residing &c

(Negotiateing)

169

Negotiateing directed and by the same bill requested the said Tobias at twenty days Sight of such
bill of Exchange his second third and fourth of the same tenor and date not being paid to pay
unto the aforesd Thomas or his ord the Sume of Ten pounds two Thirds Sterl for Value of him receed by
sd bill as aforesd at the County aforesd and before sight thereof by the aforesd Thomas by Indorse
with his proper hand subscribed according to the Customs of Merchants as ordered the aforesd Sume
of Ten pounds five Thirds Sterl to be paid to the ord of the aforesd Christopher for Value of him receed
sd of the aforesd Tobias as forsaid on the 4th day of May anno Domi 1709 at Deale aforesd Residence
and there where was requested to pay the aforesd Sume of 10 : 5 : 0 Sterl to the ord of the aforesd Christo-
pher and the aforesd Christopher in fact says that the aforesd Tobias after twenty days Sight of the aforesd
first bill and notice as aforesd hitherto hath not paid to the aforesd Christopher or to his ord the aforesd Sume
of Ten pounds five Thirds Sterl and that for want of payment thereof the aforesd Christopher after
twenty days Sight of the aforesd first bill by the aforesd Tobias on the 14th day of May anno Domi 1709 at
at London aforesd protested & caused to be protested the aforesd first bill of Exchange the second third and
fourth of the same tenor and date not being paid according to the Customs of Merchants
and sd of the said Thomas Colley the first day of June anno Domi 1710 at the County aforesd
had notice and in Consideration thereof and of the Customs aforesd the day Year and place
above mencond upon himself assumed and to the aforesd Christopher then and there
faithfully promised to pay the aforesd Sume of Seven pounds five Thirds Sterl together
with all the damages Suits and Costs by the said Christopher sustained or to be sustained
by reason of the not paym thereof aforesd to the aforesd Christopher thereunto required well
and duly Content and pay now ev'n the aforesd Thomas Colley his promise and assump
aforesd not Regarding but in his and fraudulently intending the aforesd Christopher in this part
Craftily and subtilly to Deceive and defraud the aforesd Sume of 10-5-0 also the Costs
Damages and Costs of the protest aforesd to the said Christopher allso required the first day of
June anno Domi 1710 aforesd at the County aforesd hath not paid but the same so there
to pay hath refused and still doth refuse to the damage of the said Christopher twenty pounds Sterl
and therefore he brings this Suit &c — pledges &c Jno Doe & Richd Roe

And the said Thomas Colley by Thomas Bordley his attny comes and
defends the force and Injury when &c and prays Leave to Imparle hereunto until next Court
Court and he hath it the same day is given to the pltf also — alws said next Court to wit
the 16th day of April anno Domi 1711 comes again as well the said Christopher Smith
by his attny &c as the said Thomas Colley by his attny aforesd and the said Thomas Colley
by his said attorney prays further Leave to Imparle hereunto until next Court
he hath it and the same day is given to the pltf also — alws said next Court to wit the
17th day of July anno Domi 1711 Comes again as well the said Christopher Smithers by
his attorney as the said Thomas Colley by his attny aforesd and the said Thomas Colley by his said
attorney as before defends the force and Injury when &c and saith that he the said
Thomas Colley will Costs and Charges about the Suit of him the said Christopher
in this behalf ought not to be further molested because he saith the said Christopher before
the day of the Suing out of his original writt in the plea aforesd hath not Required him

(the)