maintain his action a[d] dag[l] the said Mary which he is ready to verifie and the
said Matter the said Mary hath not gainsayd nor there to in any wayes answered
but altogether refused to admitt that Verification prays Judgm[t] & his Debt afs[d]
& costs & damages by occasion of the Detention of that Debt to be taxed
adjudged &c[a] Whereupon all and singular the premisses being by the Court
here seen heard and fully understood for that it seems to the Court here that
the afs[d] Sam[l] hath not above declared sufficient matter in Law in that behalf
to have and maintain his action afs[d] against the said Mary Therefore it is
Considered by the Justices here on Second day of October Anno Dom[i] 1711 afs[d] that
the said Sam[l] Young take nothing by his writt afs[d] but be in Mercy &c
false Clamour and that the said Mary Cotes go thence without day &c
And also it is Considered by the Justices here that the said Mary Cotes
recover ag[t] the said Sam[l] Young by the Judgm[t] of
pounds of Tob[o] by the Court here adjudged unto her for her costs and Charges
about her defence in this behalf Laid out & by the Court according to the form
of the Statute &c

Md the def[t] by his attorney afs[d] saith that he may
not be compelled to answer the pl[ff] & Demurrer filed in this Cause by reason
that he the def[t] is a Denizen of the Province of Maryland

[illegible] Mayland[s] Anne by the Grace of God of Great Brittain
John Cood - France and Ireland Queen defender of the Faith &c To the
Sheriff of S[t] Mary's County Greeting whereas a certain John Benningly
lately in our prov[ce] Court of Maryland to wit on the Eleventh day of April in the
ninth year of our reign &c Anno q[ue] Dom[i] one thousand seaven hundred and nine
before the honble Wm Holland Esq[r] Chief Justice of our said Prov[l] Court and his
associates then our Justices of our said Court at Annapolis in Anne Arundel County by
Consideration of this same Court recovered ag[t] John Cood of S[t] Mary's County Gent[n]
otherwise called John Cood Gent late high Sheriff of S[t] Mary's County as well the
Sum of twelve pounds fourteen shill[s] & three hundred and forty four pounds
of Tobacco a certain Debt as also the Sum of seaven hundred sixty nine pounds of Tob[o]
which by the same Court was then and there adjudged unto him for his Costs and damages
sustained by occasion of the detaining of the said Debt which in Court as by the Record
& Process thereof in our said Court remaining before our said Justices more fully appears
and for that Execution thereof still remaines to be done. And we being willing
that those things which are rightly done in our said Court should be brought to due
Execution Command you that you by good and Lawfull men of your Bailywick you
make known unto the said John Cood that he be before our Justices of our prov[l]
Court to be held at Anna[p] the third Tuesday of July next to shew Cause if any thing
for himself he hath or knoweth to say why the said John Benning Execution of the
Debt and Costs aforesaid ought not to issue according to the form of the Record afs[d]
to him it shall seem meet and have you there the Names of those by
whome you make the same to him known and this writt Witness Wm Holland
Esq[r] Chief Justice of our said Court the 14th day of April in the 10th Year of our
reign &c Anno q[ue] Dom[i] 1711 (Bladen)

Att[o] Said third Tuesday of July to wit the 17th Day of the same month Anno
Dom[i] 1711 being the day of the return of the said writt Comes the said John Benning
by Mr Bladen his attorney as also the Sheriff of S[t] Mary's County who makes return
thereof

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of the aforegoing writt to him directed as afs[d] and that he hath
Certified to the Justices within mencioned that by Vertue of the within writt to me
directed by John Hanks & Dan[l] Kelly two good and Lawfull men of my Bailywick
with I have made known to the within named John Cood that he the said
appear before the Justices within mencioned at the day and place within Contained
to shew Cause if any he hath or knoweth to say why the within mencioned John
Benningly Execution of the Debt and Costs within mentioned ought not to have
according to the form of the Recovery afs[d] as by the writt Jam[s] Commanded
Hen. Clossedyne Sher

Whereupon the said John Cood by Dan[l] Dulany his attorney Comes and desires
the further Imparlance he may have and prays Leave to Imparle thereunto until
next Court and it is Granted and the same day is given to the pl[ff] also - All -
which said next Court to wit the Second day of October Anno Dom[i] 1711 Comes -
again the said John Benningly his attorney afs[d] & prays that the said John
Cood to his writt of Scire fac[s] afs[d] may answer but the said John Cood all this Solemnly
Called Comes not nor shows Cause why &c but makes default wherefore the
said pl[ff] remains ag[t] him as to his said def[t] wholly undefended Therefore it is Consid-
ered by the Justices here that the pl[ff] have his Execution against the said John Benning
have his Execution against the said John Cood as well for the Sum of twelve pounds
fourteen shill[s] and three hundred and forty four pounds of Tob[o] aforesaid Debt
as also the Sum of seven hundred sixty nine pounds of Tob[o] for his Costs of Suite in the
Judgment afs[d] Specified as also the Sum of
734 pounds of Tobacco by the Court here adjudged unto him for his Costs and damages
sustained by Occasion of delay of Execution of the Judgm[t] afs[d] &c And
the pl[ff] by his attorney afs[d] stays his Execution of this Judgm[t] for sixty days

Att[o] Sam[l] Groome & Rich[d] Moore Exec[rs] of Sarah Groome who was Exec[x] of Sam[l] Groom - - - Cecil County ss

Wm Jno Jawert Esq[r] Atto[r] ux[r] ad Cas[s] Augustine Herman - - - John Jawert Esq[r] Atto[r] ux[r] ad Cas[s] Augustine Herman of Cecil County

Groome & Thomas Moore Exec[rs] of the Last will and Testam[t] of Sarah Groome deced was Exec[x] of the Last will and Testam[t] of Samuell Groome late of Cecil County deced and
plea of Trespass on the Case &c

And whereupon the said Samuell Groome & Thomas Moore by Worrell their attorney
Complain that whereas the afs[d] Casparus Augustine Herman in his Life at Cecil County afs[d]
the second day of Feb[y] Anno Dom[i] Seaven teen hundred and two stood justly Indebted to the said Sam[l]
Groom in the Sum of Forty three pounds one shill and six pence Sterling being
for so much money before that time to the said Sam[l] Deced from the said Casparus Augustine
due and owing at Cecil County aforesaid upon account of goods wares & Merchandize as by
particular are thereof ready to be produced in open Court fully and at large appear
and being so Indebted the said Casparus Augustine in his Life time in Consideration thereof
the said Second day of Feb[y] Anno Dom[i] Seaven teen hundred and two at Cecil
County aforesaid upon himself Assumed and to the said Samuel Groome in his Life
then and there faithfully promised that he the said Casparus Augustine the said

(Sum[d])