for that Imprisonment and the Justice of Justices Before whomo such Judgmt
shall be Confessed as afs shall returne y Judgmt so Confessed to the Clk of the
Respective Court where y first Judgmt was Obtained to be Entred upon record for
which Entry the Clk shall receive as aforesaid five pounds of tobacco and no more and
after the said tenth Day of Novemb It shall be Lawfull to Take out Execution upon
the Judgment Confessed as aforesaid without any Seirefacias or any other delay any
Either the Principall or the Security or all or Either of them for such Such Judgment
so Confessed any Law usage or custome to the contrary in any wise Notwithstanding
as by the Same Act may more fully and at Large appeare and whereas y aft Sheriffe
upon the Said Writt of Capias Ad satisfaciendum returned to you our Justices that he
had taken y body of the Said Theodorus and that the Same writt of Cap ad satisfaciendum
was Superseaded according to the Cert then returned by John Hawkins Son to the
Justices of our Prov Court aft the Tenor whereof is as followeth June ye twenty Eight
Seventeen hundred and Nine Then Came Before John Hawkins one of her Majs this
Justices of our Prov Court Theodorus Bonnet Together w John Coursey Robert Coll
and Dennis Sennet his Securities and Confessed Judgment Jointly and Severally
unto John West for the Summe of Eight thousand five hundred and Twenty five pounds
of Tobacco Dt and cost with Interest Included &c with Stay of Execution till the tenth
day of Nodemb next as by y Same Certificate of record remaining in our Prov Court before
you may more fully at Large appear and albeit y Judgmt aft so as aft Confessed for y
Summe of tobacco aft by the s John as one of the Securitys of the Said Theodorus Bonnet
was and is Void and of none Effect Being not Confessed and acknowledged before any
such Judge or Justice as by y Said Recited act is required y aforesaid John Hawkins
not being at the time of the acknowledgmt or Confession of the Same Judgmt a
Prov Justice Capable of taking or certifying the Same Judgmt as the Said John
Coursey is capable to Instruct by wayes and meanes Convenient Notwithstanding
the Sam John West in Execution of the Debt and Damages aft the Said John Coursey
by Occasion of the s Judgment and Certificate thereof afterwards Unjustly by Vertue
of our Writ of capias Ad satisfaciendum out of our Court take and Imprisonne him
Still keeps to the great Damage of the s John Coursey Whereupon he hath humbly
applicated us if we would provide a fitt remedy for him and Because we are willing
therein to doe y which is Just and right wee Command you that y Cause and
complaint of y Said John Coursey being heard in this behalfe Calling before you y
parties aft and others whom you shall see fitt to be Called and Hear reasons here the
being heard you cause to be made full and speedy Justice as of right and according to y
Law and Custome of our Realme of England and of this our province of mary land
ought to be done And Whereas that is to say afterwards y same fifth day of
June Anno Dom Seaventeen hundred and Eleven aft a certaine Wilder Coursey
of Queen Annes County aft Esq Came before Robt Hall Gent Register our Court
of Chancery and Did Oblige himself in y Summe of twenty Thous and pounds of
tobacco that y aft John Coursey Doe Execute his writt aft Effect in full & plea aft
thereof be Determined and Judgmt thereon should be given and if it should happen
the Judgmt in the plea aft for the aft John West shall be given that then the
(Said)

said John Coursey Doe Satisfie the aft John West of the Debt & Damage aft which
said Obligation in our said Court of Chancery is Enrolled of Record this Because his
needfull and Expedient y the s John West the forewarned before y our Court before
y here do proceed in this behalfe we have Commanded the Shrff of the aft County of Somer
sett y he make known unto the s John West y he be before y the third Tuesday of
July next ~~to answer~~ to Show whether he hath or knoweth to Say any thing for himself
why the s John Coursey of the said John Coursey of the Exn of the Debt and Damage aft
by Occasion of the premises ought not to be acquitted and Discharged we also
Command our Shrff of Queen Annes County that if the s John Coursey by Occasion of the
Premises be Detained in our prison of the aft county of Queen Annes under his Custody
that without delay he Permitt him to goe at Large where he will Witness our trusty
and well beloved Edw Lloyd Esq President and keeper of the great Seale of our Province
of Maryland at the City of Annapolis y fifth day of June Anno Dom Seaventeen
hundred and Eleven

Edw Lloyd

Att which said third Tuesday of July (to wit) the 15th day of the Same month Anno
1711 Comes into her Majesties Prov Court before the Justices thereof the aft John Coursey
by Worrell Hunt his Atty but the said John West does not Appeare Thereupon day is given
to the Said John Coursey in the plea aft until next court and at the prayer of the Said
John Coursey by his atty aft her Majesties Writt of Seirefacias is Ordered to Issue at the
said John West to appeare and Answer to the writt of Audi Querela aft & returnable to this
Court the Tenor of which followes in these words Viz. Maryland ss Anne by
the grace of God of great Brittaine France and Ireland Queen Defender of the Faith &c
To the Sheriffe of Somerset County Greeting Whereas at our Prov Court held at Ann
Apolis ~~the second~~ for the province aft the ~~[illegible]~~ day of July ~~Anno Domini~~ in the Sixth
year of our Reigne &c Anno Dom 1711 before the Honble Thomas Smith and Solo
mon Lloyd Esqs then Justices of our said Court a Certaine John Coursey of Queen Anne
County brought our writt of Audita Querela ag John West of ~~Somerset~~ County of
Somerset therein complaining ag him the said John West by Occasion of a Certaine
Capias ad satisfaciendum sued out of our s Prov Court by the s John West against
the s John Coursey as by our said Writt of Audita Querela Remaining in our s Court
before our said Justices may more at Large appear Therefore We Command you y
by good and Lawfull men of your Bailywick you make known unto the s
John West that he be and appeare before the Justices of our Prov Court to be held at
Annapolis the first Tuesday of Octob next to Show whether he hath or knoweth to Say
anything for himself why the said John Coursey of the Execution aft by Occasion
of the premises in the said Writt of Audita Querela Mentioned ought not to
be Acquitted and Discharged if to him it shall Seeme meet hereof fail not and have
you then there the name of this Writ before whome you make the same known
and this Writt Witness Wm Holland Esq Chief Justice of our s Court the 21st day of
July in the 10 year of our Reigne Anno Dom 1711

Wm Holland

Att which said Second Tuesday of October to wit y day of the Same month
Anno Dom 1711 being the day of the returne of the said Writt Comes the said John
Coursey by his Atty aft and the Shrff of Somersett County to whome the
(foregoing)