Mr. Vincent Hemsley } Maryland ss.
Mr. Andrew King — }

Andrew King of Queen Annes County planter ats. dnts. Andrew King of Queen Annes County Gent was Summoned to answer unto Vincent Hemsley of Talbot County Gent of a plea that he render unto him the Just and Just Sume of Ten thousand five hundred and Twenty two pounds of tobacco which to him he oweth and unjustly detaines &c.

And Whereupon the Same Vincent by Thomas Bordley his atty saith that whereas the aft Andrew the fourth day of April Anno Dom Seventeen hundred and twelve at Queen Annes County by his Certaine writeing obligry Acknowledged himself to be bidden and firmly bound to the aft Vincent in the aft Ten thousand five hundred and twenty two pds of tobacco to be paid to the Same Vincent his Exr Admr or Assignes when he should be thereto required Nevertheless the aft Andrew altho' often Required the aft ten thousand five hundred and twenty two pounds of tobacco or any part thereof to the Same Vincent hath not yet rendered but the same to him to render hitherto hath refused and still doth refuse Whereupon he saith he is the worse and hath loss to the Value of twenty thousand pounds &c and therefore he brings his suit &c and he brings here into Court the writeing obligry aft which testifies the debt aft in form aft whose date is the day & year aft

Pledges &c Richt Roe

And the aft Andrew by Thomas Mauemara his atty Comes and defends the force and Injury when &c and prays a hearing of the writeing obligry aft and the read unto him he prays also a hearing of the Condition of the same writeing and the read unto him in those following Vizt — The Condition of the above obligation is Such that if the above bounden Andrew King shall prosecute with Effect her majestys writt of Error brought before the Justices of the prov Court of this province to Correct Errors in a Certain Judgment obtained aft the Said Andrew King in Queen Annes County Court by the said Vincent Hemsley upon an action of Trespass upon the Case for the Sum of Four thousand two hundred pounds of tobacco a Certain Debt aft also the Sum of Six thousand Sixty and one pounds of Tobacco Cost of Suit and shall also Satisfie and pay unto the Said Vincent all and Singular the damages already adjudged by Queen Annes County Court aft to be paid as also all other Costs and damages that shall be awarded by the Justices of the prov Court to the said Vincent Hemsley by the said Andrew King in Case the aft Judgment of Queen Annes County Court aft shall be affirmed by the Justices of the prov Court aft then the above obligation to be Void and of no Effect — Else to Abide remain and be in full force Vertue

(Which)

Which being read and heard the said Andrew King by his atty aft Comes and defends the force and Injury when &c and Prays Leave to Imparle thereunto until next Court and he hath it and the same day is given to the plff also —

At which said next Court to witt the 13th day of August Anno Dom 1714 Come again the said parties plff and defend by their attys aft and the said defendt by his said atty prays further Leave to Imparle thereunto until next Court and he hath it and the same day is given to the plff also —

At which said next Court to witt the 13th day of July Anno Dom 1715 Come again the said parties plff and defendt by their attys aft and the said defendt by his said atty as before defends the force and Injury when &c and Prays a hearing of the writeing obligry aft and the read unto him he also prays a hearing of the Condition of the said writeing obligry and it is read unto him in these words following Vizt — The Condition of the above obligation is Such that if the above bounden Andrew King shall prosecute with Effect her majestys writt of Error brought before the Justices of the Prov Court of this province to Correct Errors in a Certaine Judgment Obtained aft the said Andrew King in Queen Annes County Court by the said Vincent Hemsley upon an action of Trespass upon the Case for the Sume of four thousand two hundred pounds of tobacco a Certain debt as also the Sume of Six thousand Sixty and one pounds of Tobacco Cost of Suite, and shall also Satisfie and pay unto the said Vincent all and Singular the damages already adjudged by Queen Annes County Court aft to be paid also all other Costs and damages that shall be awarded by the Justices of the prov Court to the said Vincent Hemsley by the said Andrew King in Case the aft Judgment of Queen Annes County Court aft shall be affirmed by the Justices of the prov Court aft then the above Obligation to be Void and of no Effect else to Abide remain and be in full force and Vertue — which being read and heard the aft Andrew saith that the aft Vincent his action aft ag him to have and maintaine ought not because he saith that after the thirteenth day of July in the year of our Lord God one thousand seven hundred and thirteen at Annapolis in Anne County at a prov Court of our Sovereigne Lady the Queen there and there held before the hon Thomas Smith and Sam Young Esqrs Justices of the said prov Court he did prosecute to Effect the writt of Error aft according to the Condition of the writeing obligry aft so as the Judgment aft in the aft Condition mentioned was not affirmed by the Justices of the Prov Court aft in the Condition aforesd mentioned according to the force form and Effect of the said Condition and so as no Costs or damages were awarded by the Justices of the prov Court aft to the said Vincent Hemsley and so he saith he well and truly Observed performed and fulfilled pay and kept all and Singular the Causes payments Conditions and Articles on his part in the said Condition mentioned to be Observed performed fulfilled pay and kept according to the Intent of the said Condition and this he is ready to Verify wherefore he prays Judgment if the said Vincent his action aft ag him to have ought &c