in the Custome of the said Thomas were Joynt Merch^ts without w^ch the La^d of Ilsand
2 ought not to Joyne with the Survivor nor in any other Capacity could they
Joyne by the said Lawes of the Land than as La^d of Joynt Merch^t wch Joynt Merchant
3 that it likewise appears by the pl^tes own Shewing that the right of Accon ag^t the
deft^e ought to accrue to William Fishburn the Survivor
4 that the not Certainly alledged to whome the pretended a sume ^w obliged Mayd^e ought
to make the payn^t of the money Sued for
that there is no regular proofe of the Lott^d Goods alledged

And the said Wm Fishburn Merch^t & Wm Fishburn Ex^r as aforesaid for that they
have above declared Sufficient Matter in Law to barr and maintaine their Action aforesaid
ag^t the said Vincent Hemsley which they are ready to Verifie which Matter the
same Vincent hath not Gainsayed nor to the same in any ways answered but hitherto
to Admitt as true altogether refuses the same Wm Fishburn Merch^t & Wm Fisher
Ex^r as aforesaid pray Judg^t and their damages by Occasion of the premisses to them to be
Adjudged &c^a

Whereupon all and Singular the premisses being by the Court there
Seen Heard and fully understood and Mature deliberation being thereupon had
for that it Seems to the Court here that the said Wm Fishburn Merch^t and William
Fishburn Ex^r as aforesaid have above declared Sufficient matter in Law to barr and
Maintain their Action aforesaid against the said Vincent Hemsley

Therefore it is Considered by the Justices here that the 13^th day of July Anno
Dom^i 1714 aforesaid that the said Wm Fishburn Merch^t & Wm Fishburn Ex^r as aforesaid
ag^t the said Vincent Hemsley as well the Sume of forty five pounds Sterling
Nine pence two farthings (for their damages by Occasion of the premisses aforesaid as also the Sum
of nine pounds Sterling by the Court here adjudged unto them for their Costs and Charges
by them about their Suit in this behalf Said out & expended & the said Vincent in
Mercy &c — And the pties by their attys aforesaid Say that &c^a of this Judgment
ought not now to be had because they say that after the last Continuance of this Plea
to wit the twenty eth day of Sept^r last past

Wm William Bladen for her Majty
Attorney Gen^ll of Maryland &c^a
Plaintiff
against
Wm John Israel late of Bw^d Dorsey
Defendant

John Israel admr of the goods and Chattells which were of Edw Dorsey late of Baltimore County gent^n deced unadministred by Margarett his widow otherwise called Margarett Dorsey

Attorney Gen^ll of our Sovereign Lady the Queen that now is by Bill was Summoned to Answ^r unto William Bladen Esq^r attorney of the said Lady the Queen in this behalf prosecuting for the said Lady the Queen the Just and Just Sume of two thousand pounds of good and Lawfull money of England wch from the said Lady the Queen he unjustly detayneth &c^a

Whereupon the same Wm Bladen who for our said Lady the Queen
that now is in this behalf prosecuteth saith that whereas the said Edw in the
Life time to wit the twenty first day of October in the twelfth year of the
(vizt)

reigne of our late Sovereigne Lord King Wm the third Anno Dom^i 1700 al Armard Coley
by his Certain writeing obligatory Sealed w^th the said Edwards Seale dated as above &
hereunto Court brought here Acknowledged himself to be holden and firmly bound
unto our said late Sovereigne Lord King Wm the third in the Sume of two thousand
pounds of good and Lawfull money of England to the payment whereof to our said late
Lord King Wm his heirs or Successors well and truly to be made he bound himself his
heirs Ex^rs and admr^s firmly by these said writeing obligy — Nevertheless the said Edw in
his lifetime nor Marg^t Dorsey since his death is liable to whome Execution of the
Last will and Testam^t of the said Edw^d was in due forme of Law committed nor the
said Jn^o and Marg^t after the Espousalls between them had and Celebrated nor the
said Jn^o Israel since the decease of the said Marg^t (to whome adminion of all and
Singular the goods & Chattells Rights and Credits of the said Edw^d by the said Marg^t
in her lifetime not administred were in due forme of Law committed Calling to them thereto
required) the aforesaid two thousand pounds of good and Lawfull money of England to the
said King Wm the third in his lifetime to be not rendered nor to our said Lady the
Queen but so to do hath denyed And the said Jn^o Israel doth Succeeding to
render the same to our said Lady the Queen to her damage of two thousand pounds Sterl^g
and thereof our said Lady the Queen by Attny Gen^ll is ready to Verifie &c^a

Jn^o Dod & Rod

And the said John Israel by Wm Bordley his Attny Comes and defends
the force and Injurie when &c^a and prays the reading of the aforesaid writeing obligy and
it is read unto him and he also prays the reading of the Condition of the
said writeing obligy wch is read unto him in these words Viz^t

The Condition of this obligation is Such, that whereas the Ship or Vessell
Called the Mary Elizabeth Rapscuttle of London whereof the above bound
John Goakley is Master is Libred and bound for London in the Kingdom of
England if now the said Ship or Vessell shall Load or take on board any
Sugar, Tobacco, Cotton, wool, Indico, Ginger Cacao Logwood, Fustick or other
dying wood, and shall Carry the same to some port of England, Wales or to the
South of Berwick upon Tweed, and there unloaded and put the same on shore (the
danger of the Seas only Excepted) and that a Certificate of the Landing and
discharging the said goods Custumably shall be made within 18 Months from the date
hereof produced to the Governour or the person by him appointed to receive the
same then this Obligation to be Void and of none Effect or else to remain in
full force and Vertue —

Which being read and heard the said John Israel admr as aforesaid
his attny aforesaid as before doth defend the force and Injury when &c^a and prays Leave
to Imparle hereunto until next Court and the Clerk it is thereupon day
is given to the said Wm Bladen Esq^r who prosecuteth as aforesaid —

All which said next Court to wit the 15^th day of April Anno Dom^i 1715
Come again as well the said Wm Bladen Esq^r her Majty^s Attny Gen^ll who for Soveraign
as aforesaid for the said Jn^o Israel admr as aforesaid by his attny aforesaid and the said John Israel
admr as aforesaid by his said attny pray further Leave to Imparle &c^a to the
next Court and he hath it and the same day is given to the said Wm Bladen
Esq^r who for Soveraign as aforesaid also —

(Alt)