as aforesaid amount to three pounds four Shillings Ster. Whereof
the said Richard the day year and place last mentioned to the same ffow
gave Notice Nevertheless the said William his promise and assump
tion not regarding but minding and fraudulently intending the
same Richard in this parte Craftily and subtilly to Deceive &
and Defraud ye aforesaid ye aforesaid Sixteen pounds Sterling
together with the Lawfull Costs Damages and Interests aforesaid
which in the whole Amount to nine pounds four Shillings Sterl
or any parte thereof to the said Richard Although he hath been by
the said Richard often thereunto required to wittin the aforesaid
fourth day of Aug. Anno Dom. Seventeen hundred fourteen aforesaid
at Annarundell County aforesaid hath not paid or truly for the
same hitherto any wise Contented but the same to him to pay
hath hitherto refused and still doth refuse to the Damage of ye
said Richard forty pounds sterling & thereof he bring ye Suite &c.

Pledges &c. Jno. D. Rickor

At which said Second tuesday of September to wit ye thirteenth day of
of ye same month Anno Dom. 1715 being the day of the returns of ye
said writt Comes the said Richard Anthony by his Atty aforesaid as
also the Shrff of Baltimore County to whome ye aforegoing writt was
Directed Comes and makes returne thereof to the Court here indorst
in these words viz. Non Est Inventus Short note left with Capt Rich
Colegate supposed to be Atty in fact for Wm ffowle & Jno Dorsey Shrff
Whereupon the said Richard Anthony by his Atty aft prays that
forasmuch as he has Complyed with the Law in Ordr to an Attachment
he may have Judgment aft the said William ffowle for his Damages
aft by way of Attachment According to Act of Assembly &c
Whereupon for that it seems to the Court here that the said Rich
Anthony has Complyed with the Law (as Alledged) and the said plff
having made proof of his Damages to the Court here
Therefore it is Considered by the Justices here the 13th day of
September Anno Dom. 1715 That the said Richard Anthony recover
aft the said William ffowle as well the Sume of Nineteen pounds
Seven Shillings and Nine pence Ster. by occasion of the promises
aft as all costs and charges by him the said plaintiff laid out &
expended about his Suite by way of Attachment against the goods
Chattles Rights or Credits of the said William ffowle according to
Act of Assembly in that Case made and provided

Mem. power of Atty produced to the Court

WS Wm Whittington Esqr Mem. the plff sued out his writt of Seizefa
vs Sicias the form of which follows viz —
Thomas Johnson — Those words viz —
Maryland ss George by the grace of God of Great Brittaine ffrance and
Ireland King Defendr of the ffaith &c. To the Shrff of Calvert County
Greeting; Whereas William Whittington Esqr lately in the prov. Court of

(Anne)

Anne by the Grace of God of Great Brittaine ffrance & Ireland Queen Defendr
of the ffaith &c. to writ on the twentieth day of September Anno Dom. one thou
sand Seven hundred five before the Hons Thomas Smyth Esqr and his Asso
ciates then Justices of the same Court at Annapolis by Consideration of the
same Court recovered aft Thomas Johnson Gentl as well the Sume of fforty
nine pounds four Shillings four Shillings and four pence residue of the
Sume of Ninety Eight pounds and Sixpence certaine Damages as also
the Sume of Seven hundred and thirty one pounds of tobacco which by the
same Court was then & there adjudged unto him for his Costs & charges
by him about his Suite in that behalf laid out & expended whereof he is
Convict as by the record and process thereof in the Provincial Court of
the said late Queen &c. remaining before our said Justices manifestly appe
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 Commaund you that by good and Lawfull men of your Bailly
wick you make known unto the said Thomas Johnson that he be and appear
before the Justices of our provincial Court to be held at Annapolis the second
tuesday of September next to shew Cause if any thing for himself he have
or shew why the aforesaid William Whittington execution of
his Damages and Cost aft he ought not to have according to the form of
the recovery aft is to him it shall Com mool and have you then there
the names of those by whome you make the same known and
this writt witness Wm Holland Esqr Chief Justice of our s. Court
the fifteenth day of April in the first year of our reigne
&c. Anno Dom. 1715 (W. Bladen) (Bloodale Clk.)

At which said second tuesday of September to wit the thirteenth day
of the same month Anno Dom. 1715 being the day of the returns of the
said writt Comes the said William Whittington by William Bladen his
Atty as also the Shrff of Calvert County to whome the aforegoing writt
was Directed Comes and makes returne thereof to the Court here indorst
in the so words following viz — To the Justices within mentioned I certifie
that by vertue of the within writt I have shewn to the within named
Thos Johnson that he be and appear before the Justices within mentioned
at the day and place within Contained to shew Cause if any he have why
the within named William Whittington his Judgment for the Sume of fforty
nine pounds four Shillings and nine pence Damages and Seven hundred
thirty and one pounds of tobacco Costs of Suite aft him ought not to
have in the presence of Walter Smith and William Young two good &
Lawfull men of my Bailywick as by the within writt I am commanded

Jno Brooke Shrff

Whereupon the said William Whittington by his Atty aft prays that ye
said Thomas Johnson to his writt of Seizefacias may answer but the said
Thomas Johnson although Solemnly Called Comes not shews Cause why he
but makes default whereby the said plaintiff remains against the said
Defendant wholly undefended therefore it is Considered by the Justices here
the 13 day of September Anno Dom. 1715 that the said William Whittington Esqr

(have)