Nevertheless Thomas Bordley Gent: One of the Attorneys of the said
Pro: Court Convicting the Said Thomas Downes by Evasion of the Sd
Writ so as aforesaid by him Confest before the two Justices aforesaid the aforesaid John Henry
in his Life unduely to grieve That is to Say the tenth day of July Seventeen
hundred and Seventeen Vpon Suit of Our Pro: Court our writt of Capias
Adsatisfaciend: bearing teste the Eighteenth day of April Seventeen hundred
and Seventeen To the Sheriff of Anne Arundell County directed by which he did
Command the Said Sheriff to take the Sd Thomas Downes if he Should be found
in his Bailywick and him safe keep So that he Should have his body before
the Justices of our Pro: Court to be held at the City of Annapolis the Second
Tuesday in September then next to Satisfie unto John Henry as well the Sum
of One hundred and Eight pounds Nineteen Shills and Sixpence Sterl: as also
the Sume of Seven hundred and four lb: of Tobo: Costs of Suit for the
Sumes the said Thos: Downes on Suit Judgment to the Sd John Henry before
Benjamine Tasker and Jno: Ingram Esqrs: two of the Justices of Anne Arundell County Court
upon the fourteenth day of June Seventeen hundred and fifteen According to the
Directions of the Act of Assembly in that Case made and provided) as also the Sume
of One hundred and Eighty pounds of Tobacco Additionall Costs of Suit &c: which
the said Thos: Bordley Assigned to Thos: Reynolds Gent: High Sheriff of Anne Arundell
to be Leavied And that by Vertue of the said writt the Sd Thos: Reynolds being high
Sheriff of the said County of Anne Arundell afterwards that is to say the Seventh day of
this Instant July the Year of our Lord God Seventeen hundred and Seventeen took
and Arrested the Sd Thos: Downes for the said One hundred and Eight pounds Nineteen
Shill and Sixpence Sterl: as also the Sume of seven hundred and four pounds
of Tobacco Costs of Suit for which the said two Several last mentioned Sums of
the Sd Thos: Downes (on Suit Judgment as aforesaid) as also One hundred and Eighty lb:
of Tobacco Additl: Costs of Suit and that the Sd Sheriff in the said Thos: Downes
in Execution for the said Several Sumes in our Prisonal Remay: in Anne Arundell County
hath hitherto detained to the great Damage and Grievance of the said Thos:
Downes Wherefore he the said most humbly Besought Us for Justice sake in that
behalf for him to be provided And because she could not have the said
Thos: Downes in that behalf any wise to be Injured And being willing to have
that which was just to be done She did Command by our writt: Justices that the
Exigts: of the same Thos: Downes in that behalf being heard and having
Called the parties aforesd before you and heard thereupon their reasons
Wherefore you should Cause to be done to the Said Thos: Downes Full and Speedy
Justice &c: As the said Record according to the Laws and Customs of the
Kingdom of Great Britain and of Our Province of Maryland.

Ought

Ought to be done and thereupon the said Thos: Downes having Given Good and
Sufficient Security According to the Exigence of the Law duly to Prosecute the
said Comp: by Certificate of Supersedeas Bearing Test the Eighteenth day of July in the
Dominick Seventeen hundred and Seventeen to the said Sheriff Directed was Obliged
to be out at large if for no Other Cause then the Cause aforesaid he was Detained But
of the Record Roll of the said Thos: Downes Since low in Our high Court of Chancery
he could on the Second Tuesday of this Instant July Exhibited no Letters of Attorney
ing the Premises then Nat: Bordley Esqr: the Same Attending to be Allowed
Counsel for Mary Henry who is Alledged to be the wife and Exr: of the Sd of the said
John Henry Without first suing Out Scire facias on the said Judgt: to and
Consent of the Prosecute Court into Sd: Pro: Court: recorded in the name
of the Sd: Mary thereby to Convey to her as Exr: or Administratrix &c: of Sd: Jno: Henry
Right to the said Judgm: and the Debt and Costs thereon mentd: and before Advice
thereon was Ordered to the said Judgm: by the Sd Pro: Court and that the said
One Hundred and Eight pounds Nineteen Shills and Sixpence Sterl and seven hundred
and four pounds of Tobo: Costs of Suit in the said Capias Adsatisfaciendum sued Out
Bearing Test the Eighteenth day of April Seventeen hundred and Seventeen
in the name of the Sd Jno: Henry and the One Hundred and Eight pounds Nineteen
Shillings and Sixpence Sterl and seven hundred and four lb: of Tobo: in the Sd
Capias Adsatisfaciendum sued out in the name of the Sd: Mary as Exrix and the
Sumes and not Other Orders &c: Jno: Henry in the said Capias Adsatisfaciendum
sued out in the name of the Sd: Mary Exrix: and the said Jno: Henry to whom
the Sd: Judgt: was Assigned by the said Thos: Downes on the fourteenth day of June
Seventeen hundred fifteen aforesaid and on which the Sum mentioned Capias Adsatisfaciendum
was sued out is one and the same person and not Other or Divers did unduly and
Illegally with Intent to Oppress and Grieve the Sd Thos: Downes on Account of the Sd
Judgm: to as aforesd: Consent on the Sixteenth day of this Instant July since one of
Our Pro: Court our writ of Capias Adsatisfaciendum Bearing Test the Eighteenth
day of April last past To the Sheriff of Anne Arundell County directed in the
name of the Sd: Mary By the name of Mary Henry Executrix and &c: &c: &c:
Jno: Henry Seized and Writ receive in the same order Whereas
Thos: Downes Sam: Howard & Joseph Jones On the fourteenth day of June
Seventeen hundred and fifteen before Benj: Tasker and Jno: Ingram Gent
then two of the Justices of Anne Arundell County Court did Severally Confess Judgment
to Mr: Phil: Henry of Somerset County for One hundred and Eight pounds Sterl
Nineteen Shills and Sixpence Sterl and Seven hundred and four pounds of Tobacco
with Stay of Execution till the Tenth day of November then next Ensuing to

(the)