sufficient Estate within this County aforesd whereupon the sd Thomas Jobson Undersheriff and Goaler as aforesd afterwards and before the return of the same Writ (to wit) the same Day & place last mentioned at Ann Arundell County aforesd the sd Thomas Hammond Junr so as aforesd arrested & kept in Custody by the said Thomas Jobson for the cause aforesd by virtue of the Writ aforesd then & there upon Bail by the Writing Obligatory aforesd in form aforesd made out of his Custody did dismiss and suffered him to goe at large according according to the Exigency of the Act aforesd And the said Henry Lazenby then being Sheriff as aforesd afterwards and before the return of the same Writ (to wit) the same Day and Year last mentioned at the County aforesd in the said Provincial Court of the said Lord Propry upon the aforesd Writ returned that by Vertue of the Writ aforesd to him the said Sheriff directed he the said Henry Lazenby Sheriff had taken the Body of the said Thomas Hammond Junr And him had ready at the Court aforesd And on the Day & place in the same Writ mentioned as to the same Henry it was well & lawfull by Vertue of the Act aforesd And according to the antient Course of the Court aforesd And the said Henry Lazenby after the return of the same Writ (to wit) the same second Tuesday of April being the twenty Day of the same Month at Ann Arundell County aforesd the said Thomas Hammond Junr not appearing at the said Day & place according to the Condition of the Obligation herein before recited the same Bond so as aforesd by the said Thomas Jobson his Undersheriff aforesd taken in manner aforesd to the same John King was ready & then and there offered And the said Henry in his life time always hath been ready And the said William Dolland & a certain Samuel Chew to whom Admon of all and singular the Goods Chattells and Credits which were of the said Henry at the time of his Death by Daniel Dulany Esqr County General the seventeenth Day of May Anno Dom Seventeen hundred and twenty two was duly Committed since his Death always have been ready And the said Admrs still are ready to assign for the avail of him the said John according to the Constant Usage & practise of the same Court from the time whereof the Memory of Man is not to the Contrary used & approved And bring the same into Court ready to assign the same if the said John will accept thereof which Bond and the assignment thereof the said John King to accept of for his avail or otherwise hath hitherto altogether refused which said Arrest keeping in Custody & Straps as the same arrest keeping in Custody and Straps which the said Attorney Generall for the said Lord Propry hath above by pleading alledged without that that the said Henry Lazenby or any his Undersheriffs on the said third Day of November Anno Dom Seventeen hundred & twenty two aforesd or at any time after the second Day of November aforesd in the year Seventeen hundred twenty & two aforesd did arrest & keep in Custody the same Thomas Hammond Junr in manner & form as the said Attorney Generall for the said Lord Propry hath above by pleading alledged And this he is ready to verifie Wherefore as before he prays Judgement And that the said Lord Propry from the Action aforesd may be precluded &c. —

And the aforesd Attorney Generall of the said Lord Propry saith that by any thing by the aforesd William above by rejoyning pleaded from maintaining the Action aforesd for the said Lord Propry against him the same William he ought not to be barred because protesting that that Rejoynder is insufficient in Law to conclude the same Attorney Generall from maintaining the Action aforesd & that he to the same Rejoynder in manner aforesd pleaded hath no need nor by the Law of the Land is held to answer for plea the same Attorney Generall saith as before that the aforesd Henry the aforesd Thomas Hammond out of the Custody of him the said Henry at Large where he would to go & escape did permit as the same Attorney Generall above thereof by replying hath alledged without that that the aforesd Thomas Hammond Senr & Thomas Hammond Junr became bound unto the said Henry by their Writing Obligatory with a Condition to the same Writing subscribed in manner & form as the aforesd William above thereof by rejoyning hath alledged And this the aforesd Attorney Generall is ready to verifie Wherefore for the said Lord Propry as before he prayeth Judgement for the Debt aforesd and the Damage by Occasion of Detaining the same Debt to the said Lord Propry to be adjudged.

And the said William saith that the aforesd Thomas Hammond Senr & Thomas Hammond Junr became bound unto the said Henry Lazenby by their Writing Obligatory aforesd with a Condition to the same Writing subscribed in manner & form as he the said William above thereof by rejoyning hath alledged And thereof he puts himself upon the Country — And the aforesd Attorney Generall for the said Propry also —

Whereupon for trying that Issue Command is given to the Sheriff of Ann Arundell County that he cause to come before the Justices of the Prov. Court at Annapolis the third Tuesday of October next or before the Justices appointed to take the Assizes in his County if they shall before that time to sit on Monday the 13th Day of September next to the County Court House in his County come Twelve good and Lawfull men of his Bailywick by whom &c who neither &c to recognize &c because as well &c

Afterwards this Process Continued between the parties aforesd on the Issue aforesd by the Jury being put thereon in respite here until the third Tuesday of October next unless the Justices of his Lordship the Lord Propry to take the Assizes in the said County assigned on Monday the 13th Day of September next to the County Court House in the said County should come. —

(And)

And nowhere at this Day (to wit) the third Tuesday of October being the 18th Day of the same Month Anno Dom 1725 Comes again into his Lordships Provincial Court here as well the said Attorney Generall who &c as the said William Dolland by his Attorney aforesd and the Justices of Assize before whom &c send here their Record before them had in these Words (Viz.t)

Afterwards (to wit) at the Day and place above last aforesd Thomas Addison Esqr one of his Lordships Justices of the Prov.l Court of this Province and James Stoddart Esqr one other of the Justices of the said Court assigned to take the Assizes in Ann Arundell County aforesd according to the form of the Statute &c Came the within named Samuel Bulany Esqr who for his Lordship in this behalf followeth and the said Wm Dolland Esqr by Thomas Bordley his Attorney and the Jurors of that Jury whereof mention is above made being called likewise come (to wit) Jno Mercken Jean Haswell Richd Shaw Walter Phelps Wm Phelps Jas Nicholson John Brewer Jas Cable Wm Soliman Wm Purdy Thos Sparkes & Amos Stimpson who being duly Elected Tryed and Sworn to say the truth of the premisses upon their Oath do say that the within mentioned Thomas Hammond Senr & Thomas Hammond Junr became bound unto the said Henry by their Writing Obligatory in manner and form as the aforesd Wm by his plea aforesd by way of Rejoynder pleaded hath within alledged with a Condition to the same Writing annexed Which Condition follows in these Words (Viz.t) The Condition of the above Obligation is such that if the above bound Thomas Hammond Junr shall and do make his personal Appearance before the Justices of the Prov.l Court the second Tuesday of April next to be held at the City of Annapolis to answer unto Jno King of a plea that he render to him two hundred and fifty pounds Curt Money then the above Obligation to be Void and of no effect otherwise to stand and remain in full force power and Vertue in Law and if the Condition aforesd be not such as the said Wm by his plea of Rejoynder within mentioned hath therein alledged not according to the Directions of the Statute mentioned and recited in the said Rejoynder that they find for the Plaintiff but if the said Condition be such as the said Wm by his Plea of Rejoynder within mentioned hath alledged & according to the Directions of the said Statute then they find for the Defendant. ——

But for that the Court here are not advised of their Judgement of and upon the Verdict and premisses aforesd Day is given as well to the said Attorney Generall who &c as to the said William Dolland until next Court for that the said Court as yet are not &c ——

At which said next Court (to wit) the 17th Day of May Anno Dom 1726 comes again as well the said Attorney Generall who &c as the said William Dolland by his Attorney aforesd whereupon all and singular the premisses being by the Court here seen heard fully understood and Mature deliberation thereupon had for that it seems to the Court here that the Condition aforesd is such as the said Wm by his plea of Rejoynder above mentioned hath therein alledged and according to the Directions of the Statute: ——

Therefore it is Considered by the Justices here the Day and Year last mentioned that the said Lord Propry takes nothing by his Writ aforesd And that the said William Dolland go thereof without Day.

JS John Headsworth Esqre Jun.r Edmondson } Talbot County Sc.
Jg. Mary Edmondson ——— } Be it remembred that heretofore (to wit) the 19th day of May Anno Dom 1724 Mary Edmondson of Talbot County Widow was attached to answer unto John Headsworth of a plea wherefore with force & Arms into three hundred Acres of plantable Land in Talbot County the late Dwelling plantation of John Edmondson late of Talbot County — deceased with the Appurtenances which John Edmondson to the same John Headsworth demised for a Term which is not yet past did enter and him from his farm aforesd did eject & other harms to him did to the great Damage of the said John Headsworth & against the peace of the Lord Propry that now is &c. —

And whereupon the said John Headsworth by Daniel Dulany his Attorney complaineth that whereas the said John Edmondson the fourth Day of October Anno Dom Seventeen hundred & twenty two at Talbot County aforesd did demise unto the said John Headsworth the said three hundred Acres of plantable Land abovementioned with the Appurtenances thereunto belonging To have hold and enjoy the three hundred Acres of Land aforesd to him the said John Headsworth & his Assigns from the twenty Ninth Day of September then last past until the End and term of nine Years then next following to be fully Compleat and Ended By Vertue of which Demise the said John Headsworth into the said three hundred Acres with the Appurtenances did enter and was thereof possessed And the same John Headsworth being so possessed thereof the said Mary afterwards (to wit) the fourth Day of September Anno Dom Seventeen hundred and twenty two aforesd at Talbot County aforesd with force and Arms into the Land aforesd with the Appurtenances which the said John Edmondson in form aforesd demised for the term which is not yet past did enter and him the same John Headsworth from his farm aforesd did eject And other harms to him did to the great Damage of the said John Headsworth and against the peace &c Whereby the same John Headsworth saith he is the worse & has Damage to the Value of three hundred pounds Sterling — And therefore he brings Suit &c ——— Pledges &c Jno Doe & R. Roe. ———

And the said Mary Edmondson by Joshua George her Attorney Comes and defends the force & Injury when &c And prays leave to imparle hereunto until next Court And she hath it & the same Day is given to the parties also. ———

(And)