Charles Absolute Lord & Proprty of the Provinces of Maryland and Avalon Lord Baron of Baltimore & &c and alsoe that he rendered unto him the full Sum & Just quantity of two Hundred Thousand pounds of good Sound Merchantable Tobo: and Casque which from him unjustly detained And thereupon Daniel Dulany Esqr Attorney Generale of the Lord Proprty that now is Who for the said Lord Proprty in this behalf prosecutes saith that alsoe the said John Eccleston the fifth Day of December Anno Domi One Thousand Seven hundred & twenty three at Anne Arundell County by his certain writing Obligatory granting himself to be held & firmly bound to the said Lord Proprty in the Sum of two hundred Thousand pounds of Tobo: to be paid to the said Lord Proprty when thereunto requested Neverthelesse the said John Eccleston the aforesd Two hundred Thousand pounds of Tobo: or any part thereof to the said Lord Proprty although often requested hath not rendred but the same to him hitherto hath gainsayd & still doth gainsay to the Damage of the said Lord Proprty two hundred Thousand pounds of Tobo: And this the said Attorney Generall for the said Lord Proprty is ready to verify and the same Attorney Generall brings into Court the writing aforesd which the Defdt aforesd Testifyeth the date whereof is the Day & year aforesd

And the aforesd John Eccleston by Michael Howard his Attorney comes & Defends the force & Injury when & And prays Leave to Imparle thereunto Until next Court and he hath it And the same Day is given to the said Daniel Dulany Esqr Attorney Generale who &c Alsoe

At which said Hobt Court held at the City of Annapolis the 19th Day of October Anno Domi Seventeen hundred twenty five Comes again as well the said Daniel Dulany Esqr Attorney Generale who &c As the said John Eccleston by his Attorney aforesd And the said John Eccleston by his said Attorney prays further Leave to Imparle to Imparle thereunto Until next Court and he hath it And the same Day is given to the said Daniel Dulany Esqr Attorney Generale who &c Alsoe

At which said Hobt Court held the Seventeenth Day of May Anno Domi Seventeen hundred and twenty six Comes again as well the said Daniel Dulany Esqr Attorney Generale who as well & As the said John Eccleston by his Attorney aforesd And the said John Eccleston by his said Attorney as before Defends the force & Injury when & And prayeth a hearing of the writt aforesd And he hath it in these words following to wit Marylandt ss Charles Absolute Lord and Proprty of the Provinces of Maryland and Avalon Lord Baron of Baltimore & To the Sheriff of Dorchester County Greeting We Command you that you take John Eccleston late of Dorchester County Gent Otherwise Called John Eccleston of Dorchester County in the Province aforesd Gent if he shall be found in your Bailywick and him safe keep so that you have his body before the Justices of Our Provincial Court to be held at Annapolis the third Tuesday of May Inst to Answer unto us of a plea that he render unto us the full Sum & Just Quantity of Two hundred Thousand pounds of good Sound Merchantable Tobo: and Casque which from us he unjustly detains Hereof fail not at your peril and have you then there this writt Witness Samuel Young Esqr Chief Justice of Our said Court the 26th Day of October in the Ninth year of Our Dominion & Anno Domi 1724 he also prayeth a hearing of the Judgement which is on the said writt & he hath it in these words following to wit Memorandum The within Obligt is made on Charles Lingles Gent bond Dated 6th December 1728. at the request of

(Mary)

Mary Brooke Relict of John Brooke Deced, which being read and heard the same John saith that the aforesd Charles Lingle after the Day of the Impetration of the aforesd writt to wit the Seventh Day of May Anno Domi One Thousand Seven hundred twenty & five at Dorchester County aforesd did pay unto the aforesd Mary Brooke the Sum of One Thousand pounds of Tobo: which Sum of Tobo: the same Mary Brooke then & there from the same Charles received and the same John further saith that the aforesd One Thousand pounds of Tobo: is parcell of the said Two hundred Thousand pounds of Tobo: in the said writt & Declaration Contained & this he is ready to verify wherefore he prayeth Judgment if that writt & And the said Attorney Generale saith that by any thing pleaded the writt aforesd unto that the said Mary Brooke the Sum of One Thousand pounds of Tobo: or that she the said Mary did not receive the same from him the said Charles Lingle in manner & forme as the said Charles above by pleading has alledged for plea the said Attorney Generale saith that the the said Mary before the Impetration of the writt aforesd Viz the

Day of Anno Domi One Thousand Seven hundred & twenty at Dorchester County by her certain Note in Writing requested the said Charles Lingle to pay unto a certain Francis Shirvan the Quantity of One Thousand pounds of Tobo: whereof the said Charles Lingle then & there had Notice And was requested to pay the said One Thousand pounds of Tobo: According to the Tenour of the said Note which said One Thousand pounds of Tobo: the said Charles Lingle then & there refused to pay And the said Attorney Generale further saith that after the Impetration of the writt aforesd Viz the Day of Anno Domini Seventeen hundred & twenty the said One Thousand pounds of Tobo: of the said was paid by the said Charles to the said Francis by Parol & Sold & after the Sale and without the Notice of the said Mary with Intent the writt aforesd to Quash without that, that the said Mary received the said One Thousand pounds of Tobo: from the said Charles after the Impetration of the said writt And this the said Attorney Generale is ready to verify & wherefore prays the writt aforesd may be Judged good and the said John Eccleston Adjudged to Answer And this he is ready to verify

John Eccleston saith that the plea aforesd by the aforesd Attorney Generale in manner & forme as above pleaded and the matter therein Contained are not sufficient in Law And that he the said John Eccleston hath no need nor by the Law of this Land is held to Answer And this he is ready to verify wherefore he prays Judgment And that the writt aforesd may be Quashed & And the aforesd Attorney Generale for that he hath above in pleading alledged sufficient matter in Law this writt aforesd against him the said John Eccleston to Maintain which he is ready to verify which matter the aforesd John Eccleston hath not Gainsayd nor therunto in any ways Answered but the same to Admit for true hath altogether refused as before prays Judgment and that the aforesd John Eccleston to the writt aforesd be Compelled to Answer &c

Whereupon all and Singular the premises being by the Court here seen heard and fully understood & mature Deliberation being thereupon had for that it seems to the Court here that the Replication aforesd by the aforesd Attorney Generall in manner & forme aforesd pleaded & the matter in the same Contained are altogether Insufficient in Law this writt aforesd against the said John Eccleston to Support & Maintain It is said unto the said John Eccleston by this Court here that he further Answer the premises aforesd &c

Whereupon the said John Eccleston by his Attorney aforesd as before Defends the force & Injury when & And Prays an hearing of the writing Obligatory aforesd & it is read unto him He Also prays an hearing of the writing Condition of the same bearing Date the

(Sept)