it is said unto him in these words following viz.t The Condition of the above —
Obligation is such that if the Above bound Edward Cox or his heirs Exrs. Admrs. shall truly pay or cause to be paid unto the Above said Buckler Partridge and Comp.a his or their heirs Exrs. Admrs. or Assigns or Duely ffull Attorney the full & just Sum and Quantity of four Thousand five hundred Eighty five pounds of good sound merchantable Dead Tob.o to deliver in Casque fit Certain the same Covenant. to Landing at or before the tenth Day of December Next ensuing the Date Whereof then the Above Obligation to be void and of no effect or else to remain in full force power & Vertue Whereupon the said Buckler & Comp.a by their Attorney aforesaid hath themselves to prosecute this Cause and Desire that the said Edward may plead so as an Issue may be Taken and the Cause Tryed this Court they having pursued the Directions of An Act of Assembly in such Case made by Serveing a Copy of the Declaration aforesaid upon the Defendant with Warrt aforesaid, Wherefore for that it Appears to this Court here that the said Buckler & Comp.a have complyed with the Law as above Alledged It is Peremptorily ruled that unless the said Edward do plead this Court Judgment be given for the said Buckler & Comp.a — Whereupon now at Joppa here on this Day viz.t the fourth Day of November Anno in the Year first Mentioned it being the Last Day of the same Court Come Again the said Buckler and Comp.a by their Attorney Aforesd. and move that the said Edward may plead According the rule aforesaid but the said Edward Altho Solemnly Comes not neither does his Attorney aforesaid Say Any thing in Barr of this Action &c. Whereby the said Buckler and Comp.a remain against the said Edward thereof undefended &c. — Therefore it is Considered that the said Buckler Partridge & Comp.a do Recover against the said Edward Cox their Debt aforesd. & Also Four hundred & Forty pounds of Tob.o unto the said Buckler and Comp.a of their Assent by the Court Here Adjudged for their Damages Occasioned by the Detention of that Debt & the said Edward in Mercy &c. —

In Testimony Whereof I have hereunto Subscribed my Hand & Affixed the Seal of Baltimore County aforesaid this 12.th Day of August. Anno Dom.i 1725 —

(Seal)

John Stokes Clk Bal.l County —

Memorandum — that there Records Due to the Clerk of Baltimore County on the above Judgment the Sum of Ninety four pounds of Tob.o Certified —

ffm.o John Stokes — —

That the said Edward was Committed for want of Speciall bail and that he — afterwards gave bail who hereafter him in Discharge of themselves Whereof the following Entries made — —

Maryland ss. In the Records of Baltimore County is Contained as follows viz.t Att a Court of the Right Honble Charles Lord Baron of Baltimore Absolute Lord and Proprietary of the Provinces of Maryland & Avalon &c.a Begun and held at Joppa In and for Baltimore County the first Tuesday of March it being the Second Day of the said Month

in the 10.th Year of his Lordships Dominion Anno Dom.i 1724 and there Continued Until and held on the third Day of April following by his said Lordships Justices and Officers thereunto Legally Authorized & Appointed of whom were — —

Lord James Magwth

Present — The Worshipfull { Major Luke Hasse, Lt.t Col.o Jno Dorsey, Lt.t Col.o Jacob Foard, Mr. Daniel Scott, Mr. Edward Hall, Mr. John Cockey } Quor. Justices —

Mr. Christr. Hardale

Wm. Smith Sher. — John Stokes Clk —

Whereas Thomas Hutchins and Michael Gorsuch of Baltimore County Planters did the last November Court Recognizeth themselves Special Bail for Edward Cox of Baltimore County Planter in a certain Action of Debt then Depending Between Benj.a Buckler Partridge & Comp.a of the City of Bristol Merchants plaintiffs and the said Edward Cox Defendant. the aforesaid Thomas Hutchins Comes Now & Renders his Body pursuant to the Tenor of the Bail Piece prayd that he & the said Michael may Thereupon be Discharged which is accordingly Granted And the said Edward Cox is Committed to the Custody of the Sher.f of Baltimore County there of to remain Until &c. — —

In Testimony Whereof the Seal of Baltimore County — aforesaid is hereunto Affixed this 12.th Day of August. Anno Dom.i 1725 —

(Seal)

ffm.o John Stokes Clk.o Cur.i Bal.o —

Memorandum — That there Records Due for the foregoing Tranversal one hundred & twenty Eight pounds Tob.o — Certified —

ff John Stokes Clk.o Cur.i Bal.o —

ffebr. Doth Appear to the Jury that he the Sheriff had Notice of the said Constitut and that he took the said Edward Cox into his Custody Whereupon that the said Edward Cox was in Custody of the Sheriff and that he had the Liberty of Walking about the Defendands yard and of going into his house, and at the Suit of Buckler Partridge and Comp.a and that the Sheriff had not his Body at Court but was Amerced and that it was Currently reported and said by the Sheriff himself that the said Cox had escaped from him but at what time doth not Appear to us — That the said Edward hath Sworn that he was in the Custody of the said Sheriff the Sixteenth Day of July 1725 at the Suit of the said Buckler Partridge and — Continued there until discharged by the Justices of Baltimore County Court the fourth Day of March 1725, And that the said Cur.i of the Plaintiff Buckler Partridge against the Defendant Saith was ffound the Nineteenth Day of July 1725 — —

And upon the whole Matter the — Law be with the Plaintiff for fine for the pltff. otherwise for fine for the Defendant —

But for that the Court here are not advised of there Judgment of and upon the premises Day is given to the said parties to here there of there Judgment until next Court that