And to stay Execution of the said 171, 12.10 & Cost till 10th of November next And that no future Execution issue but for the last mentioned Sum & Cost for more than shall actually come to the Defts hands of the said Colegates Estate which no more is agreed to be Subject to the present Judgment or any Execution to be thereon issued

M H The Lord Propry – { Maryland ffs
W B Joseph Manlester { Joseph Manlester late of Somerset County yeoman otherwise Called Joseph M'Chester of Somerset County in ye Province aforesd was summoned to answer unto the Right Honble Charles Absolute Lord & Proprietary of the Province of Maryland &c of a Plea that he render unto him the full Sum & just Quantity of two hundred thousand Pounds of good Sound Merchantable Leaf Tobacco & Casque which from him he unjustly detaineth &c

And whereupon Michael Howard Esqr his Lordships Attorney Generall of the Province aforesd who for his said Lordship in this behalf prosecuteth saith that whereas the aforesd Joseph M'Chester the twenty third Day of November in the year of our Lord God One thousand Seven hundred twenty and three at Somerset County aforesd by his Certain Writing Obligatory did acknowledge himself to be holden and firmly bound unto his said Lordship in the aforesd Sum of two hundred thousand Pounds of Tobacco & Casque to be paid to his said Lordship when he should afterwards be thereunto required Nevertheless the aforesd Joseph altho' often required the aforesd two hundred thousand Pounds of Tobacco and Cask to his said Lordship hath not rendered but the same to him hitherto to render hath refused and still doth refuse to the Damage of his said Lordship four hundred thousand Pounds of Tobacco And thereupon the said Attorney Generall for his Lordship aforesd doth bring Suit &c And brings here into Court the Writing Obligatory aforesd which the Debt aforesd in form aforesd testified the Date whereof is the Day and year above said &c —

And the said Joseph Manlester by William Bockingham his Attorney Comes & Defends the force & Injury when &c & prays a hearing of the Writing Obligatory aforesd & it is read unto him he likewise prays a hearing of the Condition of the same Writing & it is read unto him in these Words following (Viz:) The Condition of this Obligation is such that if the above bounden Jos: M'Chester do well & truly Serve ye right Honble ye Lord Proprietarie of this Province his heirs & Successors in the Office of high Sherd of ye County of Somerset within the Province aforesd and in all things well & faithfully Execute the same Office and also shall render unto his said Lordship and other his Officers a true faithfull & perfect Account of all & Singular his said Majestys right & Due & to his Officers a true & just Account of their fees that he shall or may be intrusted with by his said Majesty's Governour and other his Officers within this Province to receive & Collect & his Account to his Majesty his Heirs & Successors & to his & their Governour here for the time being for the fines & forfeitures & other Dues belonging to his said Majestys Governour as also his Account of all fees Dues & Sums of Money or Tobacco due to any the good People within this Province for any Sum or Sums of Money or Tobacco wherewith the said Sheriff shall be intrusted during the time of his Sheriffalty or to such of them as shall require the same shall pass render by the tenth Day of May next ensueing the Date hereof & in all other things as Sheriff of ye County of Somerset shall behave himself well & honestly to all Persons according to the best of his Power Skill & knowledge then this Obligation to be Void & of none effect Else to stand in full force Strength & Virtue Which being read & heard the said Joseph M'Chester by his said Attorney prays leave to imparle hereunto untill next Court And he hath it And the same Day is given to the said Michael Howard Esqr his Lordships Attorney Generall who &c Also —

At which said next Court to wit the 16th Day of May Anno Dom 1727 Comes again as well the said Michael Howard Esqr his Lordships Attorney Generall who &c as the said Joseph M'Chester by his Attorney aforesd And the said Joseph by his said Attorney as before defendeth the force & Injury when &c And saith that the said Attorney Generall for the said Lord Propry the Action aforesd against him to have or maintain ought not because he saith that he the said Joseph Manlester hath always from the time of making the Writing aforesd during his Continuance in the office aforesd well & truly served his said Lordship in the office of high Sherd of the County of Somerset and did in all things well & truly execute the same Office & also did render to his said Lordship & other the Officers a just faithfull & perfect Account of all & Singular his said Lordships Rights & Dues & to his Officers a just & true Account of their fees that he the said Joseph Manlester was entrusted with by his said Lordship and other his Officers within this Province to receive & Collect & his Account to his said Lordship & his Governour for the fines & forfeitures & other dues belonging to his said Lordships Governour as also his Accounts for all fees dues & Sums of Money or Tobacco due to any the People within this Province for any Sum or Sums of Money or Tobacco wherewith he the said Joseph Manlester during the time of his Sheriffalty for that present year or to Such of them as required the same did pass & render by the tenth day of May next Ensueing the Date of the Said Writing Obligatory & in all other things as Sheriff of the said County of Somerset did well & truly behave himself to all Persons during his Continuance





in that Office to wit at Somerset County aforesd & this he is ready to verify Wherefore he prays Judgment if the aforesd Attorney Generall his Action aforesd against him to have Ought &c —

And the aforesd Attorney Generall of the said Lord Propry saith that by anything pleaded from maintaining the Action aforesd against the said Joseph he ought not to be barred because protesting that the said Joseph Manlester hath not observed performed fulfilled or kept any of the Articles Covenants and Agreements in the Condition aforesd mentioned for Plea or Replication this same Attorney Generall for the aforesd Lord Propry nevertheless saith that the same Joseph M'Chester was & Continued High Sheriff of Somerset County from the aforesd twenty third Day of November Anno Dom One thousand Seven hundred twenty & three untill the thirteenth Day of November Anno Dom One thousand Seven hundred twenty & four at Somerset County aforesd & that on the twentieth Day of October Anno Dom One thousand Seven hundred twenty & One the aforesd Philemon Lloyd Esqr was & ever after until the sixteenth Day of April Anno Dom Seventeen hundred twenty and Six that Continued one of the said Lord Propry his Officers to wit Deputy Secretary of State for this Province of Maryland to wit at the same County the same Philemon Lloyd there on the aforesd twentieth Day of October Anno Dom Seventeen hundred twenty & one being lawfully Constituted & Admitted Deputy Secretary of State of the Same Province And the aforesd Attorney Generall further saith that there arose & became due unto the same Philemon by Virtue of his Deputy Secretary of State aforesd on the twenty fourth day of December Anno Dom Seventeen hundred twenty & three in the County aforesd Sundry fees amounting to the Sum of Seventeen thousand two hundred & Six Pounds of Tobacco from Sundry Persons then living in Somerset County aforesd which Sum of Tobacco by the same Philemon the said Joseph as Sheriff of the said County then & there was entrusted to Collect & account for according to the same Joseph his Duty of High Sheriff of the aforesd County and the Condition aforesd And that the same Joseph having afterward to wit the fourth day of April Anno Dom Seventeen hundred twenty & four at the County aforesd received the aforesd Sum of Seventeen thousand two hundred & Six Pounds of Tobacco hath not past an Account thereof to the said Philemon by the fourth day of May next Ensueing the Date of the said Writing Obligatory nor paid or satisfyed the same Sum of Tobacco or any Pound thereof unto the same Philemon or Order according to the Duty of the said Joseph his Office of high Sheriff of the County aforesd and the form of the Condition aforesd (altho' that to do the aforesd Joseph afterward to wit the fourth Day of May Anno Dom Seventeen hundred twenty & four & at Sundry times afterwards at the County aforesd by the aforesd Philemon was requested) But the same Seventeen thousand two hundred and Six Pounds of Tobacco yet remain wholly unpaid & in no Sort satisfyed unto the said Philemon or Order And this the said Attorney Generall is ready to verify Wherefore for the said Lord Propry he prayeth Judgment for the Debt aforesd & the Damages by Occasion of the detaining the same Debt unto the said Lord Propry to be adjudged &c with this that the same Attorney Generall doth verify that the aforesd Philemon Lloyd at all times hitherto hath been and still is an Inhabitant of the aforesd Province to wit at Somerset County aforesd —

But the said Joseph Manlester altho' Solemnly Called Comes not but makes default — whereby the said Lord Propry remains against the said Joseph without further defence —

Therefore it is Considered by the Justices here the Day & year last mentioned that the said Right Honble Charles Absolute Lord & Proprietary of the Province of Maryland &c recover against the said Joseph Manlester the Sum of two hundred thousand Pounds of good Sound Merchantable Leaf Tobacco & Cask his Debt aforesd And that said Joseph in Mercy &c —

M H The Lord Propry { Maryland ffs
W B Hugh Porter – { Hugh Porter late of Somerset County yeoman otherwise Called Hugh Porter of Somerset County in the Province aforesd was Summoned to answer unto the Right Honble Charles Absolute Lord and Proprietary of the Province of Maryland &c of a Plea that he render unto him the full Sum & just Quantity of two hundred thousand Pounds of Merchantable Leaf Tobacco & Cask which from him he unjustly detaineth &c

And whereupon Michael Howard Esq the said Lordships Attorney Generall saith that whereas the aforesd Hugh Porter the twenty third of November in the year of our Lord God One thousand Seven hundred twenty & three at Somerset County aforesd by his Certain Writing Obligatory did acknowledge himself to be holden & firmly bound unto his said Lordship in the aforesd Sum of two hundred thousand Pounds of Tobacco & Cask to be paid unto his said Lordship when he should afterwards be thereunto required Nevertheless the aforesd Hugh Porter altho' often required the aforesd two hundred thousand Pounds of Tobacco & Cask to his said Lordship hath not rendered but the same to him hitherto to render