of Baltimore Absolute Lord and Proprietary of the Province of Maryland and Avalon &c. and in the year of our Lord one thousand seven hundred & thirty four — that he should take Thomas Brewster late of Baltimore County Planter otherwise called Thomas Brewster of the said County Gent if he should be found in his Bailywick and him in his Custody safe should keep so that he should have his body before our Justices of our County aforesaid at a Court to be held at the Town of Joppa on the first Tuesday of August then next to Answer unto John Scott Esq. Administrator of Mary Tolly who was Wife of Thomas Tolly deceased of a plea that he render unto him the sum of Seventy pounds Current money of Maryland which from him he Unjustly Detains & whereof the said Sheriff was not to fail at his peril Whereupon now on this sixth day of August in the year of our Lord one thousand seven hundred and thirty four aforesaid at Joppa aforesaid comes as well the said John Scott in his Capacity aforesaid in his proper person as the said Sheriff to wit Edward Hall Gent who returns that he hath taken the body of the said Thomas. Whereupon appears the said Thomas Brewster by Richard Francis his attorney and produces the following Habeas Corpus viz. Maryland ss. Charles Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c. To the Justices and Sheriff of Baltimore County Greeting Whereas a Certain Thos Brewster is detained in the prison of our said County under the Custody of you our said Sheriff at the suit of a Certain John Scott Esq. of the Testamentary Estate of Mary Tolly late wife of Thomas Tolly deceased in a plea of Debt of seventy pounds Current money of Maryland which said plea with its incidents still depends before you as we have understand and we being willing for divers causes that the plea aforesaid and determined as aforesaid should be heard, determined before the Justices of our Provincial Court therefore Command you that you have the body of the said Thomas Brewster by whatsoever name he be called in the plea aforesaid with the day and cause of his Caption and detainer and all things touching before the Justices of our Provincial Court to be held at Annapolis the third Tuesday in this present month of October next that our Justices of our Provincial Court may further proceed therein as to Justice ought to be done. Witness Levin Gale Esq. Chief Justice of our said Court the 25th day of May in the 8th year of our Dominion Anno Domini 1734. Edward Orrell Gordon, Clerk of Anne Arundel County. Which being read & duly considered it is ordered that the plea aforesaid with all things touching the same be transmitted to the next Provincial Court to be held at Annapolis.

Witness whereof I have hereunto affixed the seal of the said County this fourteenth day of October Anno Dom. 1734

Wells Hughes Clerk

(Thomas Brewster)

Whereupon the said Thomas Brewster by his Attorney aforesaid comes and defends the force and injury when &c. and prays Leave to imparle hereunto until next Court and to hold it and the same day is given to the plaintiff also.

At which said next Court to wit the 18th day of July Anno Domini 1735 comes again as well the said John Scott in his Capacity aforesaid as in his proper person as the said Thos Brewster by his Attorney aforesaid and the said Thomas Brewster by his said Attorney defends the force and injury when &c. and offers himself against the said John Scott in the plea aforesaid. But the said John Scott his suit aforesaid against the said Thomas Brewster doth not further prosecute.

Therefore he and his Pledges of prosecuting shall be in Mercy and that the name of the said Pledges be sought for &c. and the said Thomas Brewster may go thereof without day.

Test Hughes Clk

Ff John Infant Lessee of Dr Ha: Hale Gnard. of Infant Philips . . . . . } In this Cause there was a Verdict found at the assizes whereon a Form of Judgment was Entered to this Court and now this Court upon Argument Thereof the Verdict aforesaid is ordered to be set aside and a new Trial to be had. Thereon with Costs. and thereupon a Action is Entered until next Court

Martha Pace . . . . . .

Dd The Lord Proprietary . . . } Memd. the Plaintiff and at his suit of Scire facias the Lord
v
John Stokes Ex.rs . . . . } where of follows in these words Viz.

Maryland ss. Charles Absolute Lord and Proprietary of the Province of Maryland &c. Avalon Lord Baron of Baltimore &c. To the Sheriff of Baltimore County Greeting

We Command you that of the Goods and Chattles which were of John Stokes late of Balt. County Gent. Whereof lately called John Stokes of Balt. County Gent. at the time of his Death in the hands of Susannah Stokes, Humphry Wells Stokes George Stokes and John Stokes deceased to be administrated being in your Bailywick you cause to be made unto the Lord of sixty six pounds twelve shillings sterling a certain Debt which We in our Prov. Ct. of Maryland before our Justices thereof at Annapolis the fifteenth day of October instant recovered against the said Susannah, Humphry Wells, George and John Stokes Ex.rs aforesaid as also the sum of six hundred and ninety six pounds of Tobacco which in our same Court was adjudged unto him for his Costs and Damages sustained by Occasion of detaining the same Debt of the same Goods and Chattles to be levied if so much thereof in their hands they have &c. and if so much thereof in their hands they have not &c. then the Costs of suit aforesaid to be levied of the proper Goods and Chattles of the said Susannah, Humphry Wells, George & John Stokes and that you have the same before our Justices of our said Court to be held at Annapolis the third Tuesday of May next to satisfy unto us the

(Debt)