Tibbs in her life time alledged was two foot High after the said William Tibbs in
her Life Said & alledged he had twice given the said John Furly Notice thereof between
the first Day of May and the tenth day of November in the year aft upon himself assumed
And to the said James Ryder then & there faithfully promised that he the said William
Tibbs in his Life time him the said James of and from all Costs Damages & Charges
whatsoever for Shooting Killing & Destroying the said Horse would save and truely
and Keep harmless & Indemnified & the said James in fact saith that trusting in &
giving faith to the Promise & assumption aft he the said James Did then & there
said Horse Shoot Kill & Destroy and the said James further Saith that the said
John Furly afterwards to wit the first Day of June in the Year of our Lord Seventeen
Hundred and twenty three at Baltimore County had Sued and Impleaded him the
James for having Shot Killed and Destroyed the said Horse wherein it was so
far proceeded that it was Considered and adjudged By the Justices of Baltimore County
Court at Joppa in the said County the first Tuesday of June Seventeen Hundred and
twenty four that the said John Furly should take nothing by his Writ against the said
James Ryder and that the same James Ryder Should go thereof without Day from
Which Judgement the said John Furley then Appealed to the next Provincial Court
to be held at Annapolis and gave Security for the Prosecution thereof according to Law
Whereupon the Transcript of the Proceedings in the Cause aft was sent and transmitted
to the said Court and Errors assigned as by the Record and Process thereof in the said
Court remaining is Manifest And the said James further Saith that he the said
William Tibbs in his life time the twentieth Day of May Anno Dom Seventeen
Hundred twenty & Six at the County aft upon himself assumed and to the said
James Ryder then & there faithfully promised that if the said James in Order to
to prevent the Reversal of the said Judgement and to Obtain Relief in Equity
against the said John Furly in the Cause aforesaid would Obtain an Injunction out
of the High Court of Chancery give Security for the Prosecution thereof according
to the Rules and Practice of the said Court and Exhibit a Bill in Chancery against
the said John Furly in the Cause aforesaid that he the said William Tibbs in his
Life time not only all Cost and Charges for Carrying on & Prosecuting the said Suit
would save and truly Content and Pay but also him the said James Ryder of and
from all Costs Damages & Charges which should happen by reason of Obtaining
the said Injunction giving Security for the Prosecution thereof and Exhibiting the
Bill as aforesaid against him the said John Furly would always save and
Sufficiently Save and keep harmless and Indemnified and the said James in fact
Saith that he the said James trusting in and giving faith to the Promise &c.
assumption aforesaid in form aforesaid by the said William Tibbs in his life time
made the Day and Year last mentioned at Baltimore County aft Did obtain an
Injunction in the Cause aft and according to the Practice of the said Court did give
Security for the Prosecution thereof Viz. One Bond or Writing Obligatory Entered into &
Executed by the said James Ryder together with Thomas Harris & James Maxwell
Sureties in Eighty Pounds Sterl. Conditioned to prosecute the said Injunction
with Effect and to Satisfye and Pay unto the said John Furly all Cost and Damage
then Due and that should or might Accrue by the Means of Suing out the said
Writ of the said James Ryder should not Obtain a Decree of the High Court of
the High Court of Chancery to the Contrary and that a Bill was Exhibited thereon and the
said James Ryder further Saith that it was so far proceeded in on the Injunction aforesaid
and the said Bill that on the third Tuesday of February in the year of our Lord
(Seventeen)

Seventeen Hundred and thirty three at Annapolis aforesaid it was ordered adjudged
by his Excellcy Samuel Ogle Esq. then & still Chancellor of Maryland that the said Injunction
should be dissolved and the said Bill Dismissed with Cost amounting to two Thousand &
Seven Hundred and Seventy five Pounds of Tobacco decreed and adjudged by the said
Chancellor to be paid by the said James Ryder to the said John Furly by reason of Which
Proceedings the said James Ryder was not only Compelled to Expend and Expend great
Quantities of Tobacco in the Prosecution of the said Suit but is liable and Chargeable with
the Payment of the said Cost and also of the said Sume of Eighty Pounds Sterl. for the
forfeiture of the Writing obligatory aft for the forfeiture whereof the said John Furly the
twelfth Day of April in the Year of our Lord Seventeen Hundred and thirty four sued forth
of the Provincial Court at Annapolis aft his Lordships Writ of Capias ad respondendum
against him the said James Ryder for the said Sume of Eighty Pounds Sterling returnable
to the third Tuesday of May then next Ensuing upon which Writ he the said James afterwards
to wit the twentieth Day of April in the year aft was taken and Arrested and long
Time in Prison Detained and at the said Provincial Court Compelled to appear and to
Expend great Quantities of Tobacco in the said Writ and is in Manifest Danger of having
Judgement rendered against him for the said Eighty Pounds Sterling and of being compelled
to pay the same Eighty Pounds Sterling & Cost of Suit of all which the same Samuel
and Anne his Wife had Notice Nevertheless the said William Tibbs in his life time the said
Anne while Sole and before her Intermarriage with the said Samuel and the said Samuel
& Ann since the Espousals between them had & Celebrated the Promise and assumption
aft in form aforesaid Made not regarding but minding and fraudulently Intending
him the said James Ryder in this Behalf Craftily and Subtilly to deceive and defraud
the said William Tibbs in his life time or the said Ann after his Death while Sole and
before her Intermarriage with the said Samuel and the said Samuel & Anne since
their Intermarriage altho aft requested the said James Ryder have not
Indemnified & Saved harmless but the same to do have refused and the said Samuel
& Ann still do refuse whereby the said James saith he is the worse and hath Damage
to the Value of one hundred Pounds Sterling & five thousand Pounds of Tobacco and
therefore he brings his Suit &c.

Pledges &c. Jno Doe
Richd Roe

And the said Samuel Macubbin & Ann his Wife by Richard Francis their Attorney
Come and defend the force and Injury when &c. And pray Leave to Imparle hereunto untill
next Court and they have it and the same Day is given to the Deft also.

At Which said next Court to wit the 21st Day of October 1733 Come
again the Parties aft Pltff & Deft by their attorys aft and the said Deft by their said Atty
Pray further Leave to Imparle hereunto untill next Court and they have it and the same Day
is given to the Pltff also.

At Which said next Court to wit the 18th Day of May Anno Dom 1736
Come again the Parties aforesaid Pltff and Deft. by their attorys aft and the said Deft by their
said atty Pray further Leave to Imparle hereunto untill next Court and they have it and
the same Day is given to the Pltff also.

At Which said next Court to wit the 15th Day of October Anno
Dom 1736 Come again as well the said James Ryder by his Atty aft as the said
Samuel Macubbin and Ann his Wife by their Atty aft and the said Samuel Macubbin &
Ann his wife by their said atty as before Defend the force and Injury when &c. And say that the
aft matter in the Declaration aft of the said James Contained is Insufficient in the Law for
the Maintaining his Action aft against them and that they to the Declaration aft have not