October Term 1786

Unck Whereas the said William Brogden is since deceased as by the Insinuation of the said George Plater we have received and we being resolving that those things we which in our said Court are rightly done and transacted should be brought to due Execution Command you that by good and lawfull men of your Bailiwick you make known unto William Brogden late of Charles County Gent son & Heir of the said William Brogden deed that he be and appear before the Justices of the Provincial Court to be held at Annapolis the third Tuesday of October next to show Cause if any he hath or for himself can say why the said George Plater Execution against him the said William Brogden son & Heir as aft of the Debt and Costs aforesaid according to the form of the recovery aft ought not to have if to him it shall seem meet and hereof you shall Execute this Writ that you make known unto our said Justices at the Day & Place and have you then & there the Names of those before whom you make the same known and this Writ Witness Levin Gale Esq Chief Justice of our said Court the 17th Day of July in the 21st year of our Dominion Ann Dom 1785.

Issued 2d Aug 1785 (Dulany) Wm Thistlin Clk

At Which said third Tuesday of October being the 19th Day of the same Month anno Domini 1785 and the Day of the return of the foregoing Writ Comes aft answer the aforesaid George Plater Esq by Daniel Dulany his Atty as the Sheriff of Charles County & then the same Writ was directed whom he hath returned thereof to the Court here

Thos Hodson Deputy Sheriff Charles County ss

I Hereby Certify that the within named William Brogden Son and Heir of William Brogden late of said County deed hath nothing in my Bailiwick whereby I could make known wither is he found in the same. So Answer Geo. Dent Sheriff.

And the said William Brogden by Theophilus Swift his Attorney Comes and prays Leave to Imparl hereunto untill next Court and he hath it and the same Day is given to the Deft also.

At Which said next Court to wit the 18th Day of May anno Dom 1786 Come again the Parties aft Deft and Deft by their atty aft and the said Deft by his said atty prays further Leave to Imparl hereunto untill next Court and he hath it and the same Day is given to the Deft also

At Which said next Court to wit the 15th Day of Octr anno Dom 1786 Comes again as well the aft George Plater Deft by his atty aft as the aft William Brogden by his atty aft and the said William Brogden by his said atty as before Defend the Force and Injury when &c and saith that he with the Debt aforesaid ought not to be charged as son & Heir of William Brogden his Father and for Plea says that he has not any Lands or Tenements by Hereditary Descent from his said Father in Fee Simple nor has at the Day of the Issuing the Writ aft nor ever afterward Except one Lot or Portion of Ground in Benedict Leonard Town in Charles County and therefore prays Judgment If as sort hereof of his said Father he should be Charged with the Debt aft

Whereupon

283 Whereupon the said George Plater by his Attorney aft prays Judgment for his Debt aft and his Damages occasioned by the Detaining of the same Debt to him to be adjudged to be levyed of the said Lot or portion of Ground in Benedict Leonard Town in Charles County as of the Lands & tenements of the said Wm Brogden Deed which the said Deft doth not gainsay —

Therefore it is Considered by the Justices here the 19th Day of October Anno Dom 1786 aft that the said George Plater have his Execution aft against the said William Brogden for as well the Sum of two hundred & Sixpounds Eighteen Shillings & Eight pence Sterling a certain Debt as the Sum of

1560£ pounds of Tobo by the Court here to the said George Plater of his Assent adjudged for his Damages by Occasion of the Detention of that Debt of the said Lot or portion of Ground to be levyed and the said Deft in Mercy & But because it is unknown what the said Lot or portion of Ground is worth by the year — besides all reprises Command is given to the Sheriff of Charles County that by good & lawfull men of his Bailywick he Diligently Inquire how much the said Lot or portion of Ground is worth by the year in all Issues beyond reprises And that Inquisition by him being diligently made the same Lott or portion of Ground with the Appurtenances according to the true Value thereof to the same George Plater without Delay he deliver to be held to the said George Plater untill the Debt & Damage aft be thereof levyed & howr the said Sheriff do make appear the third Tuesday of May next &c