the said George Elliot by Daniel Dulany his Attorney And the Sheriff of St Marys County to whom the same Writ was directed likewise Comes & makes return thereof to the Court here thus Indorsed (Vizt) Capi satisfac to the Sher — Richard Hopewell Sherd —

W. Thomas Harris & James Moore } Memd. the pltfs sued out his Lordships Writ of Attachment the Tenour whereof follows in these Words (Vizt)
vs
William Tibbs Esq & c — — — — } Maryland ss

Charles Absolute Lord & Propry of the Province of Maryland & Avalon Lord Baron of Baltimore &c To the Sheriff of Baltimore County Greeting Whereas Thomas Harris & James Moore lately in our Provincial Court of Maryland before the Justices thereof at Annapolis the Nineteenth Day of October Instant had impleaded Samuel Mannubbin of Baltimore County Planter and Ann his Wife Exx of the Testament of William Tibbs Late of Baltimore County Clerk deed for that Whereas they the said Thomas & James the twentieth Day of May in the Year of our Lord Seventeen hundred & twenty Six in the County afd at the Special instance & request of the said William Tibbs in his life time did enter into one Writing Obligatory bearing Date the Day & year afd together with a Certain James Rider & thereby became bound unto John Turly in the Sum of Eighty Pounds Sterling Money to be paid to the said John Turly with Condition that if the said James Rider should & did prosecute with Effect his Lordships Writ of Injunction for Relief in Equity against the said John Turly & to stay all further proceedings at Law in a Certain Cause then Depending in the Provincial Court between the said James Rider & the said John Turly & should satisfye & pay unto the said John Turly all Costs then Due or that should or might accrue by means of ispuing out such Writ of Injunction or otherwise thereon if the said James Rider should not obtain a Decree of the High Court of Chancery to the Contrary & in Case the said James Rider should in all things that related to the premises Stand to & abide the Award Sentence Order & Decree of the said Court of Chancery In Consideration whereof the said William Tibbs in his life time upon himself assumed & to the said Thomas Harris & James Moore then & there faithfully promised that he the said William Tibbs then the Thomas Harris & James Moore would well & truly save & keep harmless & indempnified of & from all Losses Costs Damage Charge & Expence whatsoever for or by reason of the said Thomas & James their Entering into the Writing Obligatory afd And the said Thomas Harris & James Moore in fact says that at a Chancery Court held at Annapolis the Nineteenth Day of February in the Year of our Lord Seventeen hundred & thirty three before his Excellency Samuel Ogle Esq Chancellour of Maryland it was Ordered adjudged & Decreed that the said Injunction should be dissolved & that the Bill Exhibited by the said James Rider against the said John Turly for relief in the Cause mentioned in the Condition of the said Writing should be dismissed & the said James Rider should pay unto the said John Turly two thousand Seven hundred & Seventy five pounds of Tobacco for the Cost on the said Dismissall which Same two thousand Seven hundred & Seventy five pounds of Tobacco or any part thereof or the Damage Due at the time of the Entering the said Writing or which did accrue by reason of the ispuing of the said Injunction the said James Ryder to the said John Turly hath not paid or satisfyed Whereforo the said John Turly the twelfth Day of April in the Year of our Lord Seventeen hundred and thirty four impetrated sued out of the Provincial Court of Maryland two Writs of Capias ad respondendum on the Writing afd for the said Eighty Pounds Sterling to the Sheriff of Baltimore County afd Directed against them the said Thomas Harris & James Moore by Virtue of which Writ the said Thomas Harris & James Moore were taken and (arrested)

arrested & for a long time in Prison under the Custody of the said were held & detained & have been obliged to expend large Sums of Money & quantities of Tobacco for their Deliverance & in their Defence in the Actions afd & in Danger of being Compelled & obliged to pay the said Eighty Pounds Sterling & great Quantities of Tobacco for the Costs of Suit on the Writs afd by the said John Turly against them sued forth & impetrated as afd of all which the said William Tibbs in his life time & the said Ann after the Death of the said William & the said Samuel & Ann his Wife since their intermarryage had Notice Nevertheless the said William Tibbs in his life time the said Ann whilst she was sole & the said Samuel & Ann his Wife since their intermarryage the Promise & Assumption afd by the said William in his life time inform afd not regarding but minding & fraudulently intending them the said Thomas Harris & James Moore in this part Craftilly & subtilly to deceive & defraud the said William in his life time or the said Samuel & Ann or Either of them since his Death the said Thomas Harris & James Moore according to the Promise & Assumption afd in form afd made have not Saved or kept harmless in the premises but all this so to do the said William in his life time the said Ann after his Death whilst she was Sole & the said Samuel & Ann since their intermarryage were often requested but them to save harmless & indempnify had hitherto refused & the said Samuel & Ann still refuse to do by the said Thomas & James sayed they were the worse & had Damage to the Value of One hundred & fifty Pounds Sterling & therefore they brought their Suit &c And in such manner before our said Court it was proceeded that the afd Thomas & James ought to recover their Damages against the afd Samuel Mannubbin & Ann his Wife Exx as afd by means of the premises afd but because our Court not being acquainted what Damages the same Thomas & James by the Occasion afd have sustained & therefore we — Command thee that by the Oath of twelve honest & lawfull men of thy Bailywick diligently to Enquire what Damages the same Thomas & James have sustained as well on the Account afd as for their Costs & Charges by them put unto about their Suit in this behalf & the Inquisition which thou shall thereof make thou send to our Justices of our Provincial Court to be held at Annapolis the third Tuesday of May next under thy Seal & the Seals of them by whose Oath thou takest that Inquisition & have then there this Writ Witness Levin Gale Esq Chief Justice of our said Provincial Court the 7th Day of October in the 22d Year of our Dominion &c Annoq Domi 1736

Sued 2d Nov. 1736 (Dulany) Wm Hammond Shff

At which said third Tuesday of May to wit the 17th Day of the same Month Anno Dom 1737 being the Day of the return of the said Writ Comes the said Thos Harris & James Moore by Daniel Dulany their Attorney And the Sheriff of Baltimore County to whom the same Writ was directed likewise Comes & makes & makes return thereof to the Court here thus Indorsed (Vizt) the Execution of this within Writ appears by the Inquisition hereunto Annexed — Wm Hammond Shff — which Inquisition follows in these Words Vizt) Ballo Coty ss

This Inquisition indented taken at Patapsco in the County afd the 23d Day of December 1736 before Wm Hammond Sheriff of sd County by the Oaths of Charles Ridgley Lloyd Harris and the rest of the Jurors being in all twelve Honest & lawfull men of the said County who being duely sworn by Virtue of the Writ hereunto annexed to Enquire according to the Tenour thereof do say that Thomas Harris & James Moore mentioned in the Writ afd have been Damaged and do the Damage the following Sums Vizt Eight thousand two hundred & thirty one pounds of Sound Merchantable Tobacco fifteen pounds three Shillings Current Money & twenty pounds Sterling In Testimony whereof I the said Sheriff as well as the Jurors afd have to this Inquisition interchangeably set our hands and (Seals)