hundred Seventy Eight pounds of Tobacco to be paid to the said James Boyd — when afterwards he should be thereunto required And the said Peter Mugg further saith that the said James Boyd afterwards to wit the Eighth Day of August Anno Dom Seventeen hundred & thirty four at St Marys County af by his Certain Writing under the hand & Seal of him the said James Boyd bearing Date the Day & year last mentioned according to the form & effect of the Act of Assembly in Such Cases made & provided assigned the said Writing Obligatory to the said Peter Mugg for the Consideration therein mentioned of which said Assignment the said Peter Mugg afterwards to wit on the said Eighth Day of August Anno Dom Seventeen hundred & thirty four at St Marys County af to the said William Cumming gave notice by virtue of which Assignment & by force of the Act of Assembly action hath Accrued to the said Peter Mugg to have & require of the said William Cumming the said ten thousand Seven hundred & Seventy Eight pounds of Tobacco Nevertheless the said William Cumming altho often required the said ten thousand Seven hundred & Seventy Eight pounds of Tobacco to the said Peter Mugg hath not rendred or paid but the same to him to render or pay hath hitherto gainsayed & still doth Gainsay to the Damage of the said Peter Mugg ten thousand Seven hundred & Seventy Eight pounds of Tobacco And therefore he prays Remedy &c And he brings here into Court as well the Writing Obligatory af as the Writing of Assignment af which the Debt & Assignment thereof as af testifie the Dates thereof are the Several Days & year af pd &c John Doe & Ric Roe —

And the said William Cumming by Philip Key his Attorney Comes & defends the force & Injury when &c And prays a hearing of the Writing Obligatory af which is read unto him he also prays a hearing of the Condition of the same Writing which is also read unto him in the Words following. Vizt) The Condition of this above Obligation is such that if the above bound William Cumming his Heirs Exrs or Admrs shall well & truly pay or Cause to be paid to the above mentioned James Boyd his Exs Admrs or Assigns the full and just Sum of five thousand three hundred & Eighty three pounds of Tobacco at or before the twenty fifth Day of December next then this above Obligation to be utterly Void & of none Effect otherwise to be & remain in full power force & virtue in Law And the said William Cumming by Philip Key his Attorney Comes & prays liberty hereof to imparle to a County Court to be held at Leonard Town for St Marys County the first Tuesday in November next & he hath it & the same Day is given to the Plaintiff now here also —

At which said first Tuesday of November to wit the fifth Day of the same Month Anno Dom 1734 Comes again the said parties Plaintiff & Defendant by their Attorneys af And the sd Defendant at his request has further liberty hereof to imparle to a County Court to be held at Leonard Town for the County af the first Tuesday in March next & he hath it the same day being given to the Plaintiff now here also —

At which said first Tuesday of March that is to say now here at this Day to wit the fourth Day of the same Month Anno Dom 1734 Comes again the said Plaintiff and Defendant by their Attorneys af And the said Defendant by his said Attorney produces to the Court here his Lordships Writ of Habeas Corpus to remove the said Cause before the Justices of the Provincial Court — therefore in Obedience to the said Writ of Habeas Corpus we hereuntil send the Record & Proceed thereof to the Justices of the Provincial Court with all things thereunto relating —

(Seal) In Testimony whereof the Seal of the County af is hereunto affixed this first Day of July Anno Dom 1735 &c

Tho Brooke Cl Cur Cur —

And now here at this Day to wit the 6th Day of July Anno Dom 1735 af — Comes into his Lordships Provincial Court as well the said Peter Mugg Assignee as af by Thomas Clark his Attorney as the said William Cumming in his proper person And the said William Cumming in his proper person Defends the force & Injury when &c And prays leave to imparle hereunto untill next Court and he hath it And the same Day is given to the Pltff Also —

At which said next Court to wit the 21st Day of October Anno Dom 1735 Comes again as well the said Peter Mugg Assignee as af by his Attorney af as the said William Cumming in his proper person And the said Wm Cumming in his proper person prays further leave to imparle hereunto — untill next Court And he hath it and the same Day is given to the Pltff also —

At which said next Court to wit the 10th Day of May Anno Dom 1736 Comes again as well the said Peter Mugg Assignee as af by his Attorney af as the said William Cumming in his proper person as the said Wm Cumming in his proper person And the said William Cumming in his proper person — prays further leave to imparle hereunto untill next Court & he hath it And the same Day is given to the Pltff also. —

At which said next Court to wit the 19th Day of October Anno Dom 1736 Comes again as well the said Peter Mugg Assignee as af by his Attorney af as the said William Cumming in his proper person And the said William Cumming in his proper person Prays further leave to imparle hereunto untill next Court And he hath it And the same Day is given to the Pltff Also —

At which said next Court to wit the 17th Day of May Anno Dom 1737 Comes again as well the said Peter Mugg Assignee as af by his Attorney af as the said William Cumming in his proper person And the said William Cumming in his proper person prays further leave to imparle hereunto untill next Court And he hath it And the same Day is given to the Pltff Also —

At which said next Court to wit the 18th Day of October Anno Dom 1737 Comes again as well the said Peter Mugg Assignee as af by his Attorney af as the said William Cumming in his proper person And the said William Cumming in his proper person as before Defends the force & Injury when &c And Saith that the said Peter Mugg his Action af against him to have ought not because he Saith that altho true it is that the said Writing Obligatory is