DD Samuel Chamberlain } Memorand.m The Plf.t Sued out his Lordships
in } Writ of Scire facias the Tenour whereof follows in
Ic Nicholas Lowe ... } those Words viz.t

Maryland ss. Charles absolute Lord & Prop.r of the Provinces of Maryland
& Avalon Lord Baron of Baltimore &c. To the Sheriff of Talbot County Greeting
Whereas at a Prov. Court held at the City of Annapolis in the County of Anne Arundell
for the Province of Maryland on the third Tuesday of October being the Seventeenth
Day of the same Month Anno Dom. Seventeen hundred & thirty three
before the Honourable Levin Gale Esq.r then Chief Justice & other his
Associates then Justices of the same Court a certain Samuel Chamberlain
by Consideration of the same Same Court did then & there recover against
a certain Nicholas Lowe of Talbot County Gent as well the Sum of three pounds
Sterling certain damages as the Sum of two thousand Six hundred & twenty
three pounds & half pound of Tobacco which to the same Sam.l Chamberlain
in our said Court was then & there Adjudged for his Costs & Charges by him
about his Suit in that behalf laid out & expended whereof he the said
Nicholas is convict as by the Record & Process thereof remaining
Manifestly Appears Execution whereof still remains to be done as by the
Insinuation of the said Samuel in our said Court we have received And We
being willing that those things which in our said Court are rightly done
& transacted shall be brought to a due Execution command you that by good
& lawfull Men of your Bailywick you make known unto the said
Nicholas Lowe that he be & appear before the Justices of our Prov. Court
to be held at Annapolis the third Tuesday of May next to shew cause if
any he hath or for him self can say why the said Samuel Chamberlain
Execution for the Damages & Cost &c. according to the form of the Recovery
af.s ought not to have if to him it shall seem meet & have you then there
the Names of those before whom you make the same known & this
Writ Witness Levin Gale Esq.r Chief Justice of our Prov. Court the 25th
Day of October in the 24th Year of Our Dom.n & Anno q. Dom. 1738.

Issued October 26th 1738 — (DDulany) Wm Thistlewood Clk.

At which said third Tuesday of May to wit the 15th Day of the same Month
Anno Dom. 1739 being the Day of the return of the aforegoing Writ
comes into his Lordships Prov. Court here the said Samuel Chamberlain
by Daniel Dulany his Att.y & the Sheriff of Talbot County to whom the
same Writ was directed likewise comes & makes return thereof to the
Court here thus Endorsed viz.t To the Honourable Justices within mentioned
I humbly certifie that on the Eighth Day of January Seventeen hundred &
thirty Eight by Thomas Bullen & Joseph Parrott Good & Lawfull
Men of my Bailywick I have made known unto the within named
Nicholas Lowe that he be & appear before the Justices within
mentioned the third Tuesday of May then next to shew cause why
the within named Samuel Chamberlain Execution against him
for the debt & damages within mentioned ought not to have According
to the Exigence of the same Writ. — Jos Answorth — J Goldsborough Shff

And the said Nicholas Lowe by James Calder his Att.y Comes and prays
(leave)

leave to Imparle hereunto untill next Court & he hath it & the same Day is given
to the said Samuel Chamberlain also.

At which said next Court, to wit, the 16th Day of October Anno Dom. 1739 come
again the said Parties Plf.s & Def. by their Att.y a.f. & the said Def. by his said
Att.y Prays further leave to Imparle hereunto untill next Court & he hath it &
the same Day is given to the Plf.s also.

At which said next Court, to wit the 21st Day of May Anno Dom. 1740 come
again the said Parties Plf.s & Def. by their Att.y a.f. & the said Def. by his said
Att.y Prays further leave to Imparle hereunto untill next Court & he hath it & the
same Day is given to the Plf.s also.

At which said next Court, to wit, the 21st Day of October Anno Dominii 1740
come again as well the said Samuel Chamberlain by his Att.y a.f. as the said
Nicholas Lowe by his Att.y a.f. & the said Nicholas Lowe by his said Att.y comes
& saith that the af. Samuel Execution of the Debt Damages & Costs a.f. in the Writ
of Scire facias a.f. mentioned against him the same Nicholas to have ought not
because he saith that after the Day of the Recovery a.f. & before the Impetration
of the same Writ to wit the twentieth Day of October in the Year of our Lord Seventeen
hundred thirty Eight at Talbot County a.f. he the same Nicholas did Pay & satisfye
unto the same Samuel the a.f. Sums of three pounds Sterling and two thousand
Six hundred & twenty three pounds & one half pound of Tobacco * in discharge
& Satisfaction of the Judgment & Recovery a.f. & this he is ready to verify
wherefore he prays Judgment if the said * Samuel Execution & the * * Costs
Damages a.f. against him the said Nicholas to have ought &c.

And the said Samuel saith that the said Nicholas on the twentieth Day of
October Anno Dom. Seventeen hundred & thirty Eight did not Pay to the said Sam.l
the a.f. Sums of three pounds Sterling and two thousand Six hundred & twenty
three pounds & one half pound of Tobacco Costs & Damages in discharge & Satisfac-
tion of the Judgment & Recovery a.f. as the said Nicholas above by Pleading
hath Alledged & of this he puts himself upon the Country, & the Def. also.
But the said Samuel Chamberlain altho solemnly called comes not but makes default
nor does he further Prosecute his Writ of Scire facias a.f. but Voluntarily suffers
his Suit to be discontinued. Therefore it is considered by the Justices here
that the said Samuel Chamberlain take nothing by his Writ of Scire facias
a.f. & that the said Nicholas Lowe go thereof without Day.

DD Samuel Chamberlain } Memorand.m The Plf.t Sued out his Lordships Writ
Assignee of Vincent Lowe } of Scire facias the Tenour whereof follows in these
Ic Nicholas Lowe ... } Words viz.t

Maryland ss. Charles absolute Lord & Prop.r of the Provinces of Maryland and
Avalon Lord Baron of Baltimore &c. To the Sheriff of Talbot County Greeting, Where-
as at a Provincial Court held at the City of Annapolis in the County of Anne Arundell
for the Province of Maryland on the third Tuesday of October being the Seventeenth
Day of the same Month Anno Dom. Seventeen hundred & thirty three before
the Honourable Levin Gale Esq.r then Chief Justice & other his Associates
(then)