April Term 1742.

Wm Sarah Hunt & Job Hunt Admr. Job Hunt } Casa
Thomas Davis

DD The Lord Propry. Dr. £1000 Ster. sued on Arthur Emmor's Adm. Bond dat. 27th Feb. 1786 & 1789 at request Margaret Emmor
John Sherwood

Ft. Moses Chaille Junr. } Fta
John Sargent

The Several Sheriffs to whom the several above Writs were directed make return thereof to the Court here thus Endorst Viz. N. E. I.

DD The Lord Propry. } Casa
William Holland

DD The Lord Propry. } Casa
Littleton Townsend

The Sheriff of Somerset County to whom the two last above Writts were directed makes return thereof to the Court here thus Endorst Viz. Tardo.

DD The Lord Propry. Dr. £1000 Ster. sued on Arthur Emmor's Adm. Bond dat. 27th Feb. 1789 at req. Margaret Emmor
Elijah Skillington

DD The Same Dr. sued on same bond at same request
Thomas Skillington

Maryland fs.

DD. Daniel Dulany Esqr. Mor Adm. de bonis non of Philemon Lloyd Esqr.
Wm Joseph Emalls Ex. of William Emalls

Be it Remembered that heretofore Command was given to the Sheriff of Dorchester County that he should take Joseph Emalls of Dorchester County Gentleman Executor of the Testament & last Will of William Emalls late of Dorchester County Gentleman Deceased otherwise lately William Emalls of Dorchester County Gent. if he should be found in his Baliwick & him should safe keep so that he might have his Body before the Justices of his Lordships Provincial Court to be held at Annapolis the third Tuesday of May then next. to Answer unto Daniel Dulany & Henrietta Maria his Wife Administratrix of all & Singular the Goods & Chattles Rights & Credits which were of Philemon Lloyd Esqr. deceased by Samuel Chew Gentleman deceased Administrator of the said Philemon Lloyd not Administred of a plea that he render unto them Sixty thousand pounds of Good sound Merchantable leaf Tobacco which from them he unjustly detains. And that thereof he the said Sheriff should not fail &c. And the said Daniel Dulany & Henrietta his Wife by Edmund Jennings their Att. Declared against the said Joseph Emalls in the Plea aft. as follows Viz.

Maryland fs. Joseph Emalls of Dorchester County Gent. Executor of the Testament & last Will of William Emalls late of Dorchester County Gentleman deceased otherwise lately called William Emalls of Dorchester County Gent. was Summoned to Answer unto Daniel Dulany & Henrietta Maria his Wife Administratrix of all & Singular the Goods & Chattles Rights & Credits which were of Philemon Lloyd Esqr. deceased by Samuel Chew Gentl. deceased Administrator of the said Philemon Lloyd not Administred of a plea that he render unto them Sixty thousand pounds of Good sound Merchantable leaf Tobacco which from them he unjustly detains. And Whereupon the same Daniel & Henrietta by Edmund Jennings their Attorney say that Whereas the said William in his lifetime the nineteenth Day of September in the Year of our Lord Seventeen hundred & twenty five at Annapolis in Anne Arundell County by his Certain (Writing)

Writing Obligatory granted himself to be held & firmly bound unto the said Philemon in his lifetime in the said Sixty thousand pounds of good sound leaf Tobacco to be paid to the said Philemon in his lifetime when thereunto required yet the said William in his lifetime or the said Joseph since his Death altho often required the said sixty thousand pounds of Tobacco or any part thereof to the said Philemon in his lifetime or to the said Samuel Chew Administrator of the said Philemon after the Death of the said Philemon Lloyd or to the said Henrietta Maria while Sole after the Death of the said Samuel Chew to which same Henrietta while she was Sole & before her intermarriage with the said Daniel Administration of all & Singular the Goods & Chattels Rights & Credits which were of the said Philemon by the said Samuel Chew not Administred in due form of Law was Committed by Daniel Dulany Esqr. Commissary General & Judge for Probate of Wills and Granting Administration the twenty fourth Day of July in the Year of our Lord Seventeen hundred & thirty eight at Annapolis aft. or to the said Daniel & Henrietta since the Espousalls between them had & Celebrated have not rendered but the same to them or any of them to render or pay have gainsayed & the same to the said Daniel & Henrietta to render or pay the said Joseph still doth gainsay in retardation of the Administration aft. whereby the said Daniel and Henrietta say they are damnified & have lost to the value of twenty thousand pounds of Tobacco & therefore they bring this Suit & brin into Court as well the Writing aft. which the debt aft. in form aft. testifies the date whereof is the Day & Year aft. as the Letters of Administration whereby the said Administration to the said Henrietta in form aft. to have been Granted will appear to the Court here

Pledges &c. John Doe & Rich. Roe

A Copy of which aforegoing Declaration was made & sent with the Writ in the Plea aft.

At which said third Tuesday of May being the 15th Day of the same Month Anno Dominii 1739 & the Day of the return of the aforegoing Writ Come the said Daniel Dulany & Henrietta Maria his Wife by Edmund Jennings their Attorney & the Sheriff of Dorchester County to whom the aforegoing Writ was directed likewise comes & makes a return thereof to the Court here thus Endorst Viz. Cepi Corpus, Declaration delivered in time.

To Answers Jacob Hindman Sheriff

And the aft. Joseph Emalls by James Calder his Attorney Comes & defends the force & Injury when &c. And prays a hearing of the Writing Obligatory aft. & it is read unto him he also prays a hearing of the Condition of the same Writing & it is read unto him in those Words Viz.

The Condition of the above Obligation is such, That if the above bounden Henry Emalls Senr. & William Emalls their heirs Exrs. or Admrs. do well & truly pay unto the above said Philemon Lloyd Esqr. his heirs or assigns the full & just Sum of thirty thousand pounds of Good sound Merchantable leaf Tobacco in well Seasoned Cask to contain the same at three equall & Proportionable payments (viz.) Ten thousand pounds of the said Tobacco at or upon the tenth Day of March next ensuing the date hereof. Ten thousand pounds of like Tobacco at or upon the tenth Day of March that shall happen in the Year One thousand Seven hundred & twenty six. & ten thousand pounds of the said Tobacco at or upon the tenth Day of March that shall happen in the Year One thousand Seven hundred & twenty seven with all Costs of Suit in the Provincial Court that is due unto the several Evidences for their Tendance in the said Suit that then this Obligation to be void & of no Effect else to stand remain & be in full force Power & Virtue in Law. Which being read & heard the said Joseph Emalls by his said Attorney prays leave to Imparle hereunto untill next Court & he hath it. The same Day is given to the Plff. also

At which said next Court, to wit, the 16th Day of October Anno Dom. 1739 Come again as well the said Daniel Dulany & Henrietta Maria his Wife by their Attorney aft. as the said Joseph Emalls by his Attorney aft. & the said Joseph Emalls by his said Attorney as (before)