October Term 1740

Pd. Edmund Jennings Esq.r } Maryland Amarundel County ss.
a. } Be it Remembered that heretofore Edmund Jennings
Pd. Thomas Colmore } Esq.r Sued out his Lordships Writ of Attachment against Thomas
Colmore the Tenor whereof follows in these Words (Viz.t)

Maryland ss. Charles Absolute Lord and Propry of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. To the Sheriff of Amarundel County Greeting We Command you that you Attach any of the Goods Chattels Rights or Credits of Thomas Colmore late of London Merchant if they shall be found in your Bailiwick to the Value of forty nine Pounds nine Shillings and nine pence Ster.g and five Thousand Pounds of Tobacco and when you have the same so Attached or any part thereof the same in your Custody safe keep so that you have the same before the Justices of our Provincial Court to be held at Annapolis the second Tuesday of September next then and there to be Condemned according to Act of Assembly to and for the Use of a certain Edmund Jennings Esq.r unless he the said Thomas Colmore by himself or his Attorney shall appear and Answer unto the said Edmund Jennings Esq.r of a Plea of Trespass upon the Case according to Law and that by good and Lawfull Men of your Bailiwick you make known unto the Person or Persons in whose hands you make the same Attachment that he she or they be and appear before the Justices of our Provincial Court to be held as afor.d to shew Cause if any he she or they have why the same Goods Chattels Rights or Credits so Attached in his her or their hands ought not to be Condemned and Execution thereof had and made according to the Direction of the Act of Assembly in that Case made and Provided if to him her or them it shall seem meet and how you shall Execute this Writ that you make known unto our said Justices at the Day and Place aforesaid and have you then there this Writ Witness Benjamin Young Esq.r Chief Justice of our said Court the 2d Day of May in the 33d Year of our Dominion &c. Anno Dom. 1747

Issued the 2d Day of May 1747 (D. Dulany) R. Burgess Clk

And now here at this Day (to wit) the third Tuesday of October being the 8d Day of the same Month Anno Dom. 1747 and the Day to which the Court afor.d from the said second Tuesday of September by an Act of Assembly for that purpose made was adjourned comes the said Edmund Jennings by Daniel Dulany his Attorney and the Sheriff of Amarundel County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thus Endorsed (Viz.t) I hereby certify to the Hontble the Justices within mentioned that by Virtue of the within Writ of Attachment to me directed that on the 4th Day of May 1747 I attached in the hands of Doctr. Charles Carroll the within mentioned Sums of Money and Tobacco as of the Rights and Credits of the within mentioned Thomas Colmore to and for the Use of Edmund Jennings Esq.r and I further Certify that I made known unto the afor.d Doctr. Charles Carroll before Richard Moser and Mathew Coon two good and Lawfull Men of my Bailiwick that he be and appear before the Justices within mentioned at the Day and place within Contained to shew Cause &c. as by the same Writ I am Commanded

To Answer Wm. Thornton Sher.

And the afor.d Thomas Colmore by Henry Darnall his Attorney appears thereupon at the prayer of the plaintiff by his Attorney afor.d the afor.d Thomas Colmore is adjudged to give special Bail to the Action afor.d Thereupon a certain Richard Keene of Prince Georges County Gent. present here in Court undertakes for the said Thomas Colmore that in Case the said Edmund Jennings shall recover Judgment against the said Thomas Colmore

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in the Plea aforesaid or that the said Thomas Colmore shall be therein legally Convict that then the said Thomas Colmore shall pay the Condemnation of the Court thereupon or render his Body to the Custody of the Sheriff of Prince Georges County in Satisfaction thereof or that he the said Richard Keene will do the same for him

And the said Edmund Jennings by his Attorney afor.d Complains against the afor.d Thomas Colmore in the Plea aforesaid as follows (Viz.t) Maryland ss. Thomas Colmore late of London Merchant was attached to answer unto Edmund Jennings Esq.r of a Plea of Trespass upon the Case And Whereupon the same Edmund by Daniel Dulany his Attorney Complains that Whereas the said Thomas the Tenth Day of November in the Year of our Lord seventeen hundred & forty six in Amarundel County afor.d was Indebted to the said Edmund in forty nine Pounds nine Shillings and nine pence Sterling for several Articles and things properly Chargeable in Account as by the Account thereof herewith into Court brought may appear and being so Indebted the said Thomas in Consideration thereof the Day and Year afor.d in the County afor.d upon himself Assumed and to the said Edmund then and there faithfully Promised that he the said Thomas the said forty nine pounds nine Shillings and nine pence to the said Edmund when thereunto requested would well and truly Content and pay Yet the afor.d Thomas his Promise and Assumption afor.d not regarding but minding and fraudulently intending him the said Edmund in this part Craftily and Subtilly to Deceive and defraud the said Thomas the said Forty nine Pounds nine Shillings and nine pence or any part thereof to the said Edmund hath not paid altho' the said Thomas the Day and Year afor.d in the County afor.d and often afterwards was thereunto requested but the same to him to pay hath refused and still doth refuse to the Damage of the said Edmund Eighty Pounds Sterling and therefore he brings this Suit

Pledges &c. Jno. Doe Rd. Roe

Which Account mentioned in the aforegoing Declaration follows in these Words & figures (Viz.t)

Mr. Thomas Colmore — Dr.

		Tob.o	Ster.g
1736	To three Hogsheads on board of Barramour Shipped by Richard Lee	650	
	To Secretarys Fees in Chancery	361	
	To D.o fees in Provincial	3261	
1737	To D.o in Chancery	268	
	To D.o in Provincial Court	400	
	To Attorneys fees		12 „ 5 „ 3
	To four Hogsheads on Board of Hill	86½	
1738	To Secretarys fees in Provl. Court	468	
	To ditto in Chancery	1000	
	To Attorneys fees	6517	
	To paid Mr. Rogers Clerk of the Court of appeals	12011½	65 „ 1 „ 0
	To my Commission of 5 ℘ Ct. on securing a Debt of £521: 14: 0 Ster.g by a Bond from D. D. Esq.r at 10/ Ster.g ℘ 100		26 „ 1 „ 6
	To D.o on £40 recd. of Capt. Gordon		2 „ —
	To Secretarys fees in the Provincial Court	183½	
1739	To Attorneys fees	500	
	To Secretarys fees in Chancery	468	
		1151½	5 „ 3 „ 6
	To half of 5 ℘ Cent Commission on 100 Ster.g formerly remitted to him by D. D. a Debt of Capt. at 9/ Ster.g ℘ 100		2 „ 10 „ —
			3 „ 6 „ 6
1740	To ½ of 5 ℘ Cent Commission on £133 „ 4 „ 9 remitted for part of Perrys Debt		
	To Secretarys fees in y.e Provincial Court	462	
	To ditto in Chancery	468	
	To Attorneys fees	900	