take the Assizes in his County if they shall before that time to wit on Monday the third Days of April next to the County Court House in the said County come Twelve good and lawfull Men of his Bailywick by whom &c who neither &c To Recognize &c Because as well &c.

Afterwards the Process Continued between the Parties afs.d in the Plea afs.d by the Jury being put thereon in Respite here untill the third Tuesday of May next unless the Justices of his Lordship the Lord Propry to take the Assizes in the said County Assigned on Monday the third Day of April next to the County Court House in the said County shall come

And now here at this day to wit the said third Tuesday of May being the 16th day of the same Month Anno Dom.i 1749 comes into his Lordships Provincial Court as well the said James Richard by his Attorney afs.d as the said William Dallam Exor as afs.d by his Attorney afs.d But the Sheriff hath not sent his Writ &c Thereupon the said Cause is Continued untill next Court

At which said next Court to wit the 17th Day of October Anno Dom.i 1749 comes again as well the said James Richard by his Attorney afs.d as the said William Dallam Exor as afs.d by his Attorney afs.d Whereupon the said William Dallam Exor as afs.d by his Attorney afs.d Offers himself Ready for Tryal against the afs.d James Richard in the Plea afs.d But the said James Richard altho Solemnly called comes not but makes Default nor does he further Prosecute his Writ against the afs.d William Dallam Exor as afs.d in the Plea afs.d

Therefore it is Considered by the Justices here that the said James Richard take nothing by his Writ afs.d but that he and his Pledges of Prosecuting to wit John Doe and Richard Roe be in Mercy &c. And that the said William Dallam Executor as afs.d go there of without Day and it is Considered that the said William Dallam Executor as afs.d Recover against the said James Richard the Sum of

43 3/6 Pounds of Tobacco by the Court here unto him on his Assent Adjudged for his Costs and Charges by him about his Defence in this behalf laid out and Expended and that he have thereof his Execution &c.

Test R Burgess Clk

Wm Rd William Black ...
B. H. William Digges Exors

Command was given to the Sheriff of Prince Georges County that he should take Ignatius Digges late of Prince Georges County afs.d and Nicholas Digges late of Prince Georges County afs.d Executors of the last will and Testament of William Digges late of Prince Georges County afs.d deceased if they should be found in his Bailywick and them should safe keep so that he might have their Bodies before the Justices of his Lordships Provincial Court to be held at Annapolis the Second Tuesday of April then next to Answer unto William Black of a Plea of Trespass upon the Case and that thereof he the said Sheriff should not fail &c.

And the said William Black Complains against the afs.d Ignatius and Nicholas Digges Exors as afs.d in the Plea afs.d as follows Viz.t

Maryland ss Ignatius Digges late of Prince Georges County afs.d and Nicholas Digges late of Prince Georges County afs.d Executors of the last will and Testament of William Digges late of Prince Georges County afs.d deceased were Attached to Answer unto William Black of a Plea of Trespass upon the Case

And Whereupon the same William Black by William Cummings his Attorney

(Complains)

Complains that Whereas the said William Digges in his life time to wit on the tenth day of November in the Year of our Lord seventeen hundred thirty and nine at Prince Georges County afs.d was Indebted to the said William Black in the Sum of Seven hundred and ninety nine Pounds and three Pence Sterling being for such things as lye properly in an Account as by the Particular Account thereof herewith into Court brought may appear and being so thereof Indebted the afs.d William Digges in his life time afterwards to wit the day and Year afs.d at Prince Georges County afs.d in Consideration of the Premises upon himself Assumed and to the same William Black then and there faithfully Promised that he the said William Digges the afs.d Sum of Seven hundred and Ninety nine Pounds and three Pence Sterling Money afs.d to the same William Black when afterwards he should be thereunto requested would well and truly Content and pay Nevertheless the afs.d William Digges in his life time and the afs.d Ignatius Digges and Nicholas Digges since the Death of the said William Digges the Promise and Assumption of the said William Digges in his life time so as afs.d made not Regarding but minding and fraudulently intending and each of them minding and fraudulently intending the same William Black in this part Craftily and Subtilly to deceive and defraud the afs.d Seven hundred and Ninety nine Pounds and three Pence Sterling or any part thereof to the said William Black (altho so to do the afs.d William Digges in his life time afterwards to wit on the same tenth day of November in the Year of our Lord One Thousand seven hundred and thirty nine and the afs.d Ignatius and Nicholas Digges after the Death of the said William Digges (to wit on the tenth Day of November in the year of our Lord seventeen hundred forty and three and often afterwards at Prince Georges County afs.d by the said William Black have been required) have not paid or any wise Contented nor hath either of them any wise paid or Contented but the same to him to Pay or any wise to Content have altogether Refused and still do Refuse and the afs.d Ignatius and Nicholas the same to Pay or any wise to Content still do Refuse to the Damage of the said William Black six hundred Pounds Sterling Money afs.d and thereof he brings the Suit &c

Pledges &c. John Doe, Rich Roe

A Copy of which aforegoing Declaration was made and sent with the Writ in the Plea afs.d

At which said Second Tuesday of April to wit the 14th day of the same Month Anno Dom.i 1747 being the Day of the return of the aforegoing Writ comes the said William Black by his Atty afs.d and the Sheriff of Prince Georges County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thus Endorsed Viz.t

Copia Copy not in hand
W.m Maudeit Shff. P.G.s Co.ty

and the said Ignatius and Nicholas Digges Exors as afs.d by Stephen Bordley their Attorney come and defend the force and Injury when &c and Pray that the said William Black may be adjudged to give Security for Cost in Case he shall happen to be Non suited in the Plea afs.d Thereupon a certain James Dick of Ann Arundel County Gent. Prevent here in Court Security for the Payment thereof

And the said Ignatius and Nicholas Digges Exors as afs.d by their Attorney afs.d Saving to themselves all Advantages as well to the Writ as to the Declaration afs.d Prays Leave to Imparle hereunto untill next Court and they have it and the same Day is given to the Plaintiff also

At which said next Court to wit the 20th Day of October Anno Dom.i 1747 come again the said Parties Plaintiff and Defendants by their Attorneys afs.d and the said Defendants by their said Attorney Pray further Leave to Imparle hereunto untill next Court and they have it and the same Day is given to the Plaintiff also

At which said next Court to wit the 17th Day of May Anno Dom.i 1749 come again the said

(Parties)