did Promise that he the afs.d William Ellegood the said fifty Pounds Sterling with all the Lawfull Costs Damages and Interest by the said Francis Lee suffered and Sustained by Occasion of the Nonpayment of the said Fifty Pounds Sterling when he should afterwards thereunto be required unto the same Francis Lee well and truly would Pay and Content and the afs.d Francis Lee in fact saith that the Lawfull Costs Damages and Interest of him the same Francis by the afs.d Occasion of the Nonpayment of the Contents of the same Bill of Exchange amount unto the Sum of Sterling whereof the said William Ellegood the day and Year afs.d at the County afs.d had Notice Nevertheless the afs.d William Ellegood his Promise and Assumption afs.d nothing regarding but minding and fraudulently intending the said Francis Lee in this Part Craftily and Subtilly to deceive and defraud the afs.d fifty Pounds Sterling together with all the Lawfull Costs Damages and Interest afs.d which in the whole amount to the sum of Sterling or any Penny thereof unto the same Francis Lee hath not Paid nor in any sort Contained (altho' to do the same the afs.d William Ellegood afterwards to wit the day of in the Year of our Lord God seventeen hundred and forty Seven and often afterwards at Dorchester County afs.d by the afs.d Francis was required) but that unto him hitherto to Pay or for the same in any sort to Content altogether hath Refused and still doth Refuse to the Damage of the same Francis Eighty Pounds Sterling Money of Great Britain and thereupon he bringeth Suit &c.

(Wm. Goldsborough) Pledges &c. { John Doe and Rich.d Roe

Whereupon came here into Court William Bartlet and Richard Dawson of Dorchester County Planters in their Proper Persons and became Pledges and Mainucaptors and each of them became Pledge and Mainucaptor for the said William that if it should happen that the same William in the Plea afs.d should be Convicted then the same Mainucaptors Granted and each of them Granted that all such Damages Costs and Charges which unto the afs.d Francis in this part by the Court should be Adjudged of their and either of their Goods and Chattels Lands and Tenements should be made and to the use of the said Francis Levied if it should happen the same William Ellegood the Damages Costs and Charges afs.d unto the afs.d Francis should not Pay or him self to the Publick Prison of Dorchester County afs.d by that Occasion should not Render

Whereupon came here into Court Charles Dickinson of Dorchester County Gent in his Proper Person and Undertook for the afs.d Francis that if it should happen the same Francis in the Plea afs.d should be Nonsuited or from maintaining his Action afs.d should be Precluded then the same Francis all such Sums of Tobacco which unto the afs.d William by the Court here for his Costs and Charges by him about his Defence in this part should be Adjudged unto the afs.d William should Pay or that he the afs.d Charles Dickinson would do it for him

And the afs.d William by Charles Goldsborough his Attorney came and Defended the force and Injury when &c. and Prayed Liberty of Imparling (thereof)

thereof untill the Second Tuesday in March then next following and he had it &c. the same day was given to the afs.d Francis &c.

At which Day there came as well the afs.d Francis by his Attorney afs.d as the said William by his Attorney afs.d and Prayed further Liberty of Imparling thereof untill the Second Tuesday in June then next and he had it &c. the same Day was given to the afs.d Francis &c.

At which Day there came again as well the afs.d Francis by his Attorney afs.d as the afs.d William by his Attorney afs.d and Prayed further Liberty of Imparling thereof untill the Second Tuesday in August then next following and he had it &c. the same day was given to the afs.d Francis &c.

At which Day there came as well the afs.d Francis by his Attorney afs.d as the afs.d Wm. by his Attorney afs.d and the afs.d Francis by his Attorney afs.d Prayed that the afs.d William to his Declaration afs.d might Answer

And the afs.d William by his Attorney afs.d Defended the force and Injury when &c. and said that he did not Assume upon him self in such manner and form as the said Francis Lee above against him had Declared and of this he put him self upon the Country

And afterward further Process of and upon the Promises afs.d between the Parties afs.d was Continued untill the Second Tuesday in November then next following. And now here at this day come the Parties afs.d by their Attorneys afs.d Whereupon the afs.d Francis Lee Produceth to the Court here the Right Honourable the Lord Propry his Writ of Certiorari the Tenor whereof ensues in these words following Maryland ss Charles Absolute Lord and Propry of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. To the Justices and Clerk of Dorchester County Greeting We being Willing for certain causes to be Certified of the Record and Proceedings of a certain Action before you depending Between Francis Lee Plaintiff and William Ellegood Defendant of a Plea of Trespass upon the Case We Command you that the Record and Proceedings in the Action afs.d with all things thereunto Relating as far as before ye it Remains by whatsoever Names the Parties in the same are Distinguished to our Provincial Court to be held at Annapolis the third Tuesday of May next under your Hands and Seals ye send together with this Writ that our same Justices may further do therein that which of Right they see ought to be done Witness Benjamin Young Esq.r Chief Justice of our said Court the 25th day of October in the 34th year of our Dominion &c. Anno Dom. 1748 (J Tilghman) R Burdus Clk

Issued Octo.r 25th 1748 Allowed per Jno Brice

Which being read and heard is by the Court Allowed of and by the same Court it is Ordered that the Record and Process afs.d together with the Proceedings thereto Relating be Transmitted accordingly before the Right Honourable the Lord Propry his Justices of the Provincial Court to be held at Annapolis the third Tuesday in May next

Dor. County Seal

In Testimony whereof I hereto set my Hand and Affix the Publick Seal of Dorchester County this Eighth day of April Anno Dom. 1749

Jno Caille Clerk Dor. County