him brought nor but that the Writing Obligatory aforesd is the Deed of him the said Samuel nor but that he owes to the same Charles the aforesd Sum of One hundred and Seventy Pounds nine shillings and a half Penny Sterling in manner and form so as the aforesd Charles above against him hath Declared

Therefore it is Considered by the Justices here That the said Charles Carroll recover against the said Samuel Howard as well the aforesd Sum of One hundred and Seventy Pounds nine shillings and a half Penny Sterling his Debt aforesd as also the Sum of

Judgm.t Signed 24th July 1751 600

Pounds of Tobacco by the Court here unto him on his Absent Adjudged as well for his Damages Sustained by means of detaining that Debt as for his Costs and Charges by him about his Suit in this behalf laid out and expended and the said Defendant in Mercy &c.

Test. R. Burdus Clk

DD. Charles Carroll Esq.r
v.
B. Samuel Howard

Maryland ss. Samuel Howard late of Annarundel County Gentleman thereafter called Samuel Howard was Summoned to Answer unto Charles Carroll Esquire of a Plea that he render unto him the Sum of Two hundred Pounds Sterling which to him he owes and injustly detains &c.

And Whereupon the said Charles by Daniel Dulany Junior his Attorney saith That Whereas the aforesd Samuel on the twenty sixth Day of May in the Year of our Lord Seventeen hundred forty five at Annarundel County aforesd by his certain Writing Obligatory acknowledged himself to be held and firmly Bound unto him the said Charles in the aforesd Sum of two hundred Pounds sterling to be paid to him the said Charles when afterwards he should be thereunto required Nevertheless the aforesd Samuel (altho' often thereunto required) the aforesd Sum of two hundred Pounds Sterling to him the said Charles hath not rendered or paid but the same to him hitherto to render or pay he hath altogether refused and still doth refuse wherefore he said saith he is the worse and hath Damage to the Value of One hundred Pounds Sterling aforesaid and therefore he brings Suit &c. and brings here into Court the Writing Obligatory aforesd Sealed with the Seal of the aforesd Samuel which the Deed aforesaid in form aforesaid Witnesseth whose Date is the Day and Year aforesaid

Pledges &c. { John Doe, Richard Roe

And the aforesd Samuel Howard by Stephen Bordley his Attorney comes and defends the Force and Injury when &c. and prays a hearing of the Writing Obligatory aforesd and it is read unto him &c. he prays also a hearing of the Condition of the same Writing Obligatory & it is read unto him in these Words Viz.t

The Condition of the above Obligation is such That if the above Bound Samuel Howard do and shall well and truly pay or cause to be paid unto the said Charles Carroll his certain Attorney Executors Administrators or Assigns the just Sum of One hundred Pounds Sterling with Legal Interest thereon at or upon the Day of next ensuing the date hereof with Legal Interest for the same Then the above Obligation to be Void else to remain in full force and Virtue in Law But if default be made in the Payment of the said Sum of One hundred Pounds Sterling Then I Impower any Attorney in any Court of Record in the Realms of Great Britain France or Ireland or within the Province of Maryland or other his Majesty's Dominions to appear for me at the Suit of the above

(mentioned)

mentioned Charles Carroll and to receive a Declaration on the above Obligation and thereupon to Confess Judgment by Nil dicit, cognovit actionem, non fum infortunatus or otherwise Hereby releasing all the Errors that may happen upon the said Judgment suing out Execution thereupon or in any of the Proceedings thereunto relating

Which being read and heard the said Samuel Howard by his said Attorney saith that he cannot deny the action aforesd of the aforesd Charles Carroll so as aforesd against him brought nor but that the Writing Obligatory aforesd is the Deed of him the said Samuel nor but that he owes to the same Charles the aforesd Sum of Two hundred Pounds Sterling in manner and form so as the aforesd Charles above against him hath Declared

Therefore it is Considered by the Justices here that the said Charles Carroll recover against the said Samuel Howard as well the aforesd Sum of two hundred Pounds Sterling his Debt aforesd as also the Sum of

Judgm.t Signed 24 July 1751 600

Pounds of Tobacco by the Court here unto him on his Absent Adjudged as well for his Damages Sustained by means of Detaining that Debt as for his Cost and Charges by him about his Suit in this behalf laid out and expended and the said Defend.t in Mercy &c.

Test. R. Burdus Clk

DD. John White
v.
John Bell

Mem.d the Plaintiff sued out his Lordships Writ of capias ad satisfaciendum the Tenor whereof follows in these Words Viz.t

Maryland ss. Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. To the Sheriff of Baltimore County Grooting We Command you that you take John Bell if he shall be found in your Bailiwick and him safe keep so that you have his Body before the Justices of our Provincial Court to be held at Annapolis the Second Tuesday of April next to Satisfy unto John White late of Somerset County Merchant the Sum of Seven hundred and ninety six Pounds three Quarters of a Pound and four fifth parts of a Pound of Tobacco certain Cost of Suit recovered against him before the Justices of our Provincial Court on the Seventeenth Day of October Seventeen hundred and forty nine whereof he is Convicted Hereof fail not at your Peril and have you then and there this Writ Witness Benjamin Young Esq.r Chief Justice of our Provincial Court the 1st Day of October in the 36th Year of our Dominion &c. Annoq. Dom.i 1750

Issued Oct. 1st 1750. (R Dorsey) R. Burdus Clk

At which said Second Tuesday of April to wit the 9th Day of the same Month Ann.o Dom.i 1751 being the Day of the return of the aforegoing Writ comes the said John White by Edward Dorsey his Attorney and the Sheriff of Somerset County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thus Indorsed Viz.t

Cepi Sed Answers Nehemiah King Shff

But the said Sheriff altho' solemnly called to bring into Court the Body of the said John Bell according to the return of the Writ aforesaid brings him not in but makes Default

Hbd. Thomas Chase
v.
James Richard

Mem.d the Plaintiff sued out his Lordships Writ of Capias ad satisfaciendum 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 Baltimore County

(Grooting)