recover against the said James Hodson as well the Sum of two hundred thirty and four Pounds thirteen Shillings Current Money of Maryland his Debt afsd as also the Sum of

1059 lbs 2/3 Pounds of Tobacco by the Court here unto him on his Agent 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. Est. A Burnell Clk

Cy. Joseph Ennalls
v.
Ff. James Hodson

Command was given to the Sheriff of Dorchester County that he should take James Hodson late of Dorchester County Gentleman otherwise called James Hodson of Dorchester County in the Province of Maryland Gentleman if he should be found in his Bailiwick and 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 Second Tuesday of September then next to answer unto Joseph Ennalls of a Plea that he render unto him the Sum of One hundred and eleven Pounds Sterling Money of Great Britain which to him he oweth and unjustly detaineth and that thereof he the said Sheriff should not fail &c.

And the afsd Joseph Ennalls by Charles Goldsborough his Attorney Declares against the afsd James Hodson in the Plea aforesaid as follows Viz.t

Maryland ss. James Hodson late of Dorchester County Gentleman otherwise called James Hodson of Dorchester County in the Province of Maryland Gentleman was Summoned to Answer unto Joseph Ennalls of a Plea that he render unto him the Sum of One hundred and eleven Pounds Sterling Money of Great Britain which to him he oweth and unjustly detaineth And Whereupon the same Joseph by Charles Goldsborough his Attorney saith that the afsd James the Seventh day of February Anno Dom. Seventeen hundred and forty four at Dorchester County afsd by his certain Writing Obligatory had Granted himself to be held and firmly Bound unto the afsd Joseph in the afsd Sum of One hundred and eleven Pounds Sterling Money of Great Britain to be paid to the said Joseph when thereof afterwards he should be required Yet the said James altho' often required the afsd Sum of Money to the said Joseph hath not paid but that to him to pay hath refused and still doth refuse to the Damage of the said Joseph One hundred Pounds Sterling Money. and therefore he brings Suit And brings into Court the Writing Obligatory afsd which the Debt afsd in form afsd doth Testify whose date is the day and Year aforesaid

Pledges &c. John Doe & Richd Roe

A Copy of which aforegoing Declaration was made and sent with the Writ in the Plea afsd

At which said Second Tuesday of September to wit the 11th day of the same Month Anno Dom. 1750. being the day of the return of the aforegoing Writ comes the said Joseph Ennalls by Charles Goldsborough his Attorney and the Sheriff of Dorchester County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thus Endorsed Viz.t Cepi Corpus Copy Decl. delivered the Twelfth day of June 1750

So Answers B Ennalls Shff. Dor Cty

And the said James Hodson being called upon appears. Thereupon at the Prayer of the Plaintiff by his Attorney afsd the afsd James Hodson is Adjudged to give Special Bail to the Action afsd Thereupon the said James Hodson by James Tilghman his Attorney files in Court here the following Bail Piece (Viz.t)

(Joseph)

Joseph Ennalls Plaintiff against James Hodson Defendant

You John Hicks Roger Hollson and either of you do undertake for the said James Hodson Defendant in the Sum of One hundred and eleven Pounds Sterling Money of Great Britain to be levied of your and either of your Lands and Tenements Goods and Chattels to the Use of the said Joseph Ennalls the Plaintiff upon Condition that if the said Joseph Ennalls do Obtain Judgment in an Action of Debt depending in the Provincial Court against the said James Hodson the Defendant that then the said James Hodson shall pay the Condemnation of the Court thereupon or deliver himself to the custody of the Sheriff of Dorchester County in Satisfaction thereof or you or one of you will do it for him They Acknowledge themselves to be Content therewith this fourteenth day of September Anno Dom. 1750.

Before me Wm Murray

To the Humble the Justices of the Provincial Court

And the afsd James Hodson by James Tilghman his Attorney comes and defends the Force and Injury when &c. and prays a hearing of the Writing Obligatory afsd and it is read unto him &c. he prays also a hearing of the Condition of the same Writing and it is read unto him in those Words Viz.t The Condition of the above Obligation is such That if the above Bound John Hodson the Second and John Hodson the fourth and James Hodson or either of them or either of their Hrs &c. &c. do and shall well and truly pay unto the above mentioned Joseph Ennalls or his Heirs or Assigns the full and just Sum of fifty five Pounds ten Shillings Sterling Money of Great Britain then the above Obligation to be void otherways to stand and remain in full force and Virtue in Law

Which being read and heard the said James Hodson by his said Attorney prays leave to Imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the 9th day of April Anno Dom. 1751. come again the said parties Plaintiff and Defendant by their Attorneys afsd and the said Defendant by his said Attorney prays further leave to Imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the 10th day of September Anno Dom. 1751 comes again as well the said Joseph Ennalls by his Attorney afsd as the afsd James Hodson by his Attorney afsd and the afsd James Hodson by his said Attorney as before defends the Force and Injury when &c. and saith that the afsd Joseph his Action afsd against him the said James to have & maintain ought not because he saith that the afsd John Hodson the Second and John Hodson the fourth in the Condition afsd mentioned and he the said James did well and truly pay unto the afsd Joseph the afsd fifty five Pounds ten Shillings Sterling Money of Great Britain in the Condition afsd above mentioned according to the form and effect of the Condition afsd to wit on the day of Seventeen hundred and at Dorchester County afsd and this he is ready to Verify &c. wherefore he prays Judgment if the afsd Joseph his Action afsd against him to have or maintain ought &c.

And the afsd Joseph saith that he by any thing by the afsd James above in Pleading alledged from having his Action afsd thereof against the said James to be Precluded ought not because he saith that the afsd John Hodson the Second and John Hodson the fourth and the said James or either of them have not paid unto him the said Joseph the afsd fifty five Pounds ten Shillings Sterling Money of Great Britain in the Condition afsd mentioned in manner & form as the afsd James above by Pleading hath alledged and this he prays may be Enquired of by the Country and the Defendant also

(Nevertheless)