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

At which said Second Tuesday of April to wit the 15th day of the same Month Anno Dom. 1750. being the day of the return of the aforegoing Writ comes the said Henry Harrison by Stephen Bordley his attorney and the Sheriff of Anne Arundel County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thus endorsed (Viz.t) Copi Copy Served in time Jno Gasaway Sher

And the aforesaid William Hedgest and Rebecca his wife being called upon appear Thereupon at the Prayer of the Plaintiff by his Attorney aforesaid the aforesaid William Hedgest & Rebecca his Wife are Adjudged to give Special Bail to the Action aforesaid. Thereupon the said William and Rebecca by Daniel Dulany their Attorney file in Court here the following Bail Piece Viz.t Henry Harrison Plaintiff ag.t William Hedges and Rebecca his Wife Defend.ts You Robert Mercer and John Drummond and either of you do undertake for the said William Hedges and Rebecca his Wife Defend.ts in nine hundred and nine Pounds Seventeen Shillings and ten Pence 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 Henry Harrison the Plaintiff upon Condition that if the said Henry Harrison do obtain Judgment in an Action of Debt depending in the Provincial Court against the said William Hedges and Rebecca his Wife the Defend.ts that then the said William Hedges & Rebecca his Wife shall pay the Condemnation of the Court thereupon or deliver themselves to the Custody of the Sheriff of Cecil County in Satisfaction thereof or you or one of you will do it for them They acknowledge themselves to be Contented therewith this Seventeenth day of April 1750. Before me Presiding Justice of Cecil County Court

To the Honble the Justices of the Provincial Court Tho Colvill

And the aforesaid William Hedgest and Rebecca his Wife by their Attorney aforesaid defend the Force and Injury when &c. and pray that the aforesaid Henry Harrison may be Adjudged to give Security for Costs in Case he shall happen to be Nonsuited in the Plea aforesaid Thereupon a Certain of County becomes Security for the Payment thereof

And the aforesaid William and Rebecca by their said Attorney pray a hearing of the Original Writ of the aforesaid Henry in this Cause Impetrated and they have it in these Words following Viz.t Maryland ss. Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c.a To the Sheriff of Anne Arundel County Greeting We Command you that you take William Hedgest late of Anne Arundel County Gentleman and Rebecca his Wife otherwise lately called Rebecca Heath Executrix of James Paul Heath Merchant lately deceased if they shall be found in your Bailiwick and them safe keep so that you have their Bodys before the Justices of our Provincial Court to be held at Annapolis the Second Tuesday of April next to Answer unto Henry Harrison of a Plea that they render unto him the Sum of Nine hundred and nine Pounds Seventeen Shillings and ten Pence Sterling Money of Great Britain which to him they owe and unjustly detain &c.a 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 31st Day of Oct.r in the 35th Year of our Dominion &c.a Anno Dom. 1749

They pray also a hearing of the Writing Obligatory aforesaid and it is read unto them they pray likewise a hearing of the Condition of the same Writing and it is read unto them in these Words following Viz.t The Condition of the above Obligation is such That if the above Bound Rebecca or her Heirs Executors or Admrs. shall well and truly pay or cause to be paid unto the above named Henry Harrison his certain Attorney Executors Admrs or Assigns the Sum of four hundred and fifty four Pounds eighteen Shill.s Eleven Pence of like Sterling above mentioned on or before the seventh day of October

(which)



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Whereupon all and singular the Premises being by the Court here seen heard fully understood and mature deliberation thereupon had for that it seems to the Court here that the Plea aforesaid of the aforesaid Attorney General in behalf of the said Lord Proprietary above in his Application aforesaid Pleaded and the matter in the same contained are no ways sufficient for the said Lord Proprietary to have and maintain his Action aforesaid thereof against the aforesaid John

Therefore it is Considered by the Justices here that the said Lord Proprietary take nothing by his Writ aforesaid But that the said John Rose go thereof without day &c.a and it is also Considered that the said John Rose recover against the Vestry of Westminster Parish in Anne Arundel County aforesaid (at whose request this Suit was brought) the Sum of

709 3/5 Pounds of Tobacco by the Court here unto him on his aforesaid Judgment 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.a

Mem.d Capt. Gordon withdrew from the Bench on the Argument hereof

Test. Rb Worthington

NB. Henry Harrison ... command was given to the Sheriff of Anne Arundel County
a. that he should take William Hedgest late of Anne Arundel County
DD. WC. William Hedgest & Wife Gentleman and Rebecca his Wife otherwise lately called Rebecca Heath Executrix of James Paul Heath Merchant lately deceased

if they should be found in his Bailiwick and them should safe keep so that he might have their Bodys before the Justices of his Lordships Provincial Court to be held at Annapolis the Second Tuesday of April then next to Answer unto Henry Harrison of a Plea that they render unto him the Sum of Nine hundred and nine Pounds Seventeen Shillings and ten Pence Sterling Money of Great Britain which to him they owe and unjustly detain &c.a And that thereof he the said Sheriff should not fail &c.a

And the aforesaid Henry Harrison by Stephen Bordley his Attorney Declares against the aforesaid William Hedgest & Wife in the Plea aforesaid as follows Viz.t

Maryland ss. William Hedgest late of Anne Arundel County Gentleman and Rebecca his Wife otherwise lately called Rebecca Heath Executrix of James Paul Heath Merchant lately deceased were Summoned to Answer unto Henry Harrison of a Plea that they render unto him the Sum of Nine hundred and nine Pounds Seventeen Shillings & ten Pence Sterling Money of Great Britain which to him they owe and unjustly detain &c.a And Whereupon the said Henry by Stephen Bordley his Attorney saith That the aforesaid Rebecca whilst she was Sole on the Seventh day of October in the Year of our Lord Seventeen hundred and forty six at Anne Arundel County aforesaid by her certain Writing Obligatory Acknowledged herself to be held and firmly Bound unto the said Henry Harrison in the aforesaid Sum of Nine hundred and nine Pounds Seventeen Shillings and ten Pence Sterling Money of Great Britain to be paid to the said Henry when afterwards she should be thereunto required Nevertheless the aforesaid Rebecca whilst she was Sole and the aforesaid William and Rebecca after the Espousals between them celebrated although often required the aforesaid Nine hundred and nine Pounds Seventeen Shillings and ten Pence to the said Henry have not nor hath either of them rendered or paid but the same to the said Henry to render or pay the said Rebecca whilst she was Sole and the said William and Rebecca after the Espousals between them as aforesaid Celebrated have hitherto altogether refused and still do refuse Wherefore the said Henry saith he is the worse and hath Damage to the Value of One hundred Pounds Sterling Money aforesaid and therefore he brings Suit &c.a and brings hereinto Court the Writing Obligatory aforesaid Seal with the Seal of the aforesaid Rebecca which the Debt aforesaid in form aforesaid Witnesseth whose date is the Day and Year aforesaid

Pledges &c.a { John Doe, Ad.a Roe }