Names of John Howard son of Gideon and Mathew Howard late of Frederick County Farmers otherwise called John Howard son of Gideon of Frederick County Farmer and Mathew Howard of the same County Farmer if they should be found in his Bailiwick and them should safe keep so that he should have their Bodies before the Justices of the Court here of the said Lord Proprietary the third Tuesday of May then next to satisfy unto him the said John Metcalfe as well the aforesaid Sum of Two hundred and Sixty pounds Eight Shillings and eight pence Current Money a certain Debt recovered against them before the Justices of the Court here on the fifteenth day of the same October whereof they were Convict as also the aforesaid Sum of fourteen hundred and twenty Eight pounds of Tobacco Cost of Suit aforesaid whereof the said Sheriff should not fail and that he should have then and there that Writ which same Writ of Capias ad Satisfaciendum of and upon that Judgment for the aforesaid John Metcalfe against the aforesaid John Howard and Mathew Howard in due manner was Prosecuted and before the return of the same Writ to the aforesaid Sheriff of Frederick County in due manner was delivered Whereupon the aforesaid John Metcalfe at the aforesaid Return of the same Writ Came by Stephen Bordley his then Attorney and the then Sheriff of Frederick County to wit Samuel Beall Gentleman at that day did return the aforesaid Writ thus Endorsed to wit Nest as by the aforesaid Writ of Capias ad satisfaciendum and return thereof in the Court here of the said Lord Proprietary a filed and now of Record remaining fully appears and this he is ready to verify wherefore the aforesaid John Metcalfe prays Execution of the Debt and Costs aforesaid in form aforesaid acknowledged by pretext of the Recognizance aforesaid to him to be adjudged and so forth —

And the aforesaid John Metcalfe as to the last Plea of the aforesaid Thomas above pleaded Protesting that the same last Plea in manner and form above pleaded and the Matter in the same contained are insufficient in Law to preclude him the said John from having his Execution aforesaid of the Debt and Damages aforesaid against him the said Thomas to which same Plea

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he is not bound nor by the Law of the Land held in any manner to Answer for Plea Nevertheless the same John Metcalfe by replying saith that the aforesaid Thomas now appearing and the aforesaid Thomas Maynard who Came into Court here and became Bail for the aforesaid John Howard and Mathew Howard in the Plea aforesaid at the Suit of him the said John Metcalfe in the Writ of Scire facias aforesaid Mentioned are one and the same Person and this he prays may be enquired of by the Country and so forth And the aforesaid Thomas in like manner and so forth —

Nevertheless the aforesaid Thomas Manyard by his Attorney aforesaid Relinquishing the Averments above by him pretended says that he cannot deny the Action aforesaid of the aforesaid John Metcalfe so as aforesaid against him being nor but that the aforesaid John Metcalfe Ought to have his Execution against him for the aforesaid Sum of Two hundred and Sixty pounds Eight Shillings and Eight Pence Current Money and fourteen hundred and Twenty Eight pounds of Tobacco —

Therefore it is Considered by the Justices here that the said John Metcalfe have his Execution against the said Thomas Manyard for as well the aforesaid Sum of Two hundred and Sixty Pounds Eight Shillings and eight Pence Current Money the Debt aforesaid and fourteen hundred and twenty Eight pounds of Tobacco Costs and Charges aforesaid in the Writ of Scire facias aforesaid Specified as also the Sum of

629¼ Pounds of Tobacco by the Court here unto the said John Metcalfe on his Absent adjudged for his Costs and Damages Sustained by Delay of Execution of the Judgment aforesaid &c —

Test.

C.D. The Lord Baltimore
a
T.C. Henry Wright Crabb

Be it Remembred that heretofore a Command was given to the Sheriff of Anne Arundel County that he should take Henry Wright Crabb late of Frederick County Gentleman if he should be found in his Bailiwick and him should safe keep so that he should have his Body before the Justices of his Lordships Provincial Court to be held at Annapolis the

(third)