as by the said Act among other things more fully appears and the said John further saith that the Writing Obligatory aforesaid was passed after the making and enacting of the Act aforesaid to wit on the thirty first day of October in the Year of our Lord One thousand Seven hundred and forty three at Baltimore County aforesaid and that the Action aforesaid was not Sued or brought on the aforesaid Writing Obligatory within the Space of Five Years after the passing the same and this he is ready to Verify wherefore he prays Judgment if the said Attorney General for the said Lord Proprietary the Action aforesaid against him the said John to have or maintain Ought &c.

Whereupon the said John Risteau by his Attorney aforesaid Offers himself ready for tryal against the aforesaid Stephen Bordley Esquire his Lordships Attorney General who &c. in the Plea aforesaid But the said Stephen Bordley Esquire his Lordships Attorney General who &c. altho' solemnly called comes not but makes Default

Therefore it is Considered by the Justices here that the said Lord Proprietary take nothing by his Writ aforesaid and that the said John Risteau go thereof without Day &c

Test. Reverdy Ghiselin Clk

13. The Lord Propry } Maryland ss. John Risteau late of Baltimore County in the Province of
a } Maryland Gentleman otherwise called John Risteau of the County and Province
23. John Risteau } aforesaid was Summoned to Answer unto the Right Honourable Frederick Lord
Proprietary of this Province in a Plea that he render unto him the Just and just
Quantity of two hundred thousand Pounds of good Sound Merchantable Leaf Tobacco and Cask which to
him he Owes and unjustly Detains and &c. forth

And whereupon Stephen Bordley Esquire Attorney General of the Said Frederick Lord Proprietary who for the Said Lord Proprietary that now is in this part Prosecuteth Says that whereas the aforesaid John on the Sixth day of November in the Year of our Lord Seventeen hundred and forty four at Baltimore County aforesaid by his certain Writing Obligatory with the Seal of him the said John Sealed and to the Court of the said Lord Proprietary now here Shewn whose Date is the day and Year aforesaid Acknowledges himself to be held and firmly bound unto the Right Honourable Charles late Lord Baltimore lately deceased in his Lifetime by the Name of the Right Honourable the Lord Proprietary in the aforesaid Quantity of two Hundred thousand pounds of good Sound Merchantable Leaf Tobacco and Cask to be paid to the said late Lord Proprietary his Heirs and Successors when afterwards he Should be thereunto required Nevertheless the aforesaid John (altho. often thereunto required) the aforesaid Quantity of Two hundred thousand Pounds of good Sound Merchantable Leaf Tobacco and Cask to the said late Lord Proprietary in his life Time or to the said Lord Proprietary that now is Since the Death of him the said late Lord Proprietary hath not paid but the same to the said late Lord Proprietary or to the said Lord Proprietary that now is Since the Death of him the said late Lord Proprietary to pay he hath altogether refused and the same to the said Lord Proprietary that now is Still doth refuse to the Damage of the said Lord Proprietary that now is in the Quantity of fifty thousand pounds of Tobacco Whereupon the aforesaid Attorney General for the said Lord Proprietary that now is Brings Suit and so forth

And the said John Risteau by Edward Dorsey his Attorney Comes and defends the force and (Injury)

Injury when &c. and prays Leave to Imparle hereunto untill next Court and he hath it and the same day is given to Stephen Bordley Esquire Attorney General who &c. also

At which said next Court to wit the thirteenth day of September Anno Dom. 1757 Comes again as well Stephen Bordley Esquire Attorney General who &c. as the said John Risteau by his Attorney aforesaid and the said John Risteau by his said Attorney prays further leave to Imparle hereunto untill next Court and he hath it and the same day is given to Stephen Bordley Esquire Attorney General who &c. also

At which said next Court to wit the Eleventh day of April Anno Dom. 1758 Comes again as well Stephen Bordley Esquire Attorney General who &c. as the said John Risteau by his Attorney aforesaid and the said John Risteau by his said Attorney prays further leave to Imparle hereunto untill next Court and he hath it and the same day is given to Stephen Bordley Attorney General who &c. also

At which said next Court to wit the Twelfth day of September Anno Dom. 1758 Comes again as well Stephen Bordley Esquire Attorney General who &c. as the said John Risteau by his Attorney aforesaid and the said John Risteau by his said Attorney pray further leave to Imparle hereunto untill next Court and he hath it and the same day is given to Stephen Bordley Esquire Attorney General who &c. also

At which said next Court to wit the Tenth day of April Anno Dom. 1759 Comes again as well Stephen Bordley Esquire Attorney General who &c. as the said John Risteau by his Attorney aforesaid And the said John by his Attorney aforesaid as before defends the force and Injury when and so forth and Saith that he with the Debt aforesaid by Vertue of the Writing aforesaid ought not to be burthened because he Saith that that Writing is not his Deed and of this he puts himself upon the Country and so forth

And the aforesaid John by Leave of the Court here and according to the form of the Statute in such Case made and Provided by his Attorney aforesaid further defends the force and Injury when &c. and prays an Hearing of the Writing Obligatory aforesaid and he hath it in the following words to wit

Mayland Baltimore County ss. Know all Men by these Presents that We John Risteau Henry Morgan and William Bond of the County and Province aforesaid are Holden and firmly bound unto the Right Honourable the Lord Proprietary in the Just and just Quantity of two hundred thousand Pounds of good Sound Merchantable leaf Tobacco and Cask to be paid to the said Lord Proprietary his Heirs and Successors to the which Payment well and truly to be made We bind ourselves and every of Us our and every of our Heirs Executors and Administrators jointly and Severally for the whole and in the whole firmly by these presents Sealed with our Seals and Dated this Sixth Day of November in the thirteth year of our Dominion anno Domini One thousand Seven hundred and forty four

He also prays an Hearing of the Condition of the Writing Obligatory aforesaid and it is read unto him as follows to wit

The Condition of the above Obligation is such that if the above bounden John Risteau do well and truly serve his Lordship the Lord Proprietary his Heirs and Successors in the Office of High Sheriff of the County of Baltimore within the Province aforesaid and in all things well and faithfully execute the said Office and also shall render unto the said Lord Proprietary and other his Officers true faithfull and perfect Account of all and Singular his said Lord Proprietary's Rights and dues and to his Officers a true and just Account of their fees that he shall or may be entrusted with by his said Lordships Governor and other his Officers within this Province to receive and collect and his Account to his Lordship his Heirs and Successors and to his and their Governor here for the Time being for the fines and forfeitures and other dues belonging to his said Lordships Governor as also his Account of

(all)