1B The Lord Propty } Maryland Ss. Walter Tolley late of Baltimore County in the Province of Maryland Gentleman
a } otherwise called Walter Tolley of Baltimore County in the Province aforesaid was Summoned to
E.D.D.D Walter Tolley } answer unto the Right Honourable Frederick Lord Proprietary of this Province in a Plea that
he render unto him the full and just Quantity of Two hundred thousand pounds of good
Sound Merchantable Leaf Tobacco which to him he Owes and unjustly detains and so forth

And whereupon Stephen Bordley Esquire Attorney General of the Said Lord Proprietary that now is who for the Said Lord Proprietary that now is in this behalf Prosecuteth says that whereas the aforesaid Walter on the Sixth day of March in the Year of our Lord Seventeen hundred and fifty at Baltimore County aforesaid by his certain Writing Obligatory with the Seal of him the Said Walter Sealed and to the Court here of the Said Lord Proprietary that now is Shewn whose Date is the Day and Year aforesaid acknowledged himself to be held and firmly bound unto the Right Honourable Charles Late Lord Baltimore lately deceased in his Life Time 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 Walter (altho' often thereunto required) the aforesaid Quantity of Two hundred thousand Pound of good Sound Merchantable Leaf Tobacco and Cask to the Said Late Lord Proprietary in his Life time or to the Lord Proprietary that now is Since the Death of him the Said Late Lord Proprietary hath not paid but the Same to him the Said Late Lord Proprietary in his Lifetime 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 aforesaid Whereupon the aforesaid Attorney General for the Said Lord Proprietary that now is brings Suit and So Forth

And the Said Walter Tolley by Edward Dorsey his Attorney comes and defends the force and 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 Eleventh day of April Anno Dom. 1758 Comes again as well Stephen Bordley Esquire Attorney General who &c. as the Said Walter Tolley by his Attorney aforesaid and the Said Walter 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 Twelfth day of September Anno Dom. 1758 Comes again as well Stephen Bordley Esquire Attorney General who &c. as the Said Walter Tolley by his Attorney aforesaid and the Said Walter Tolley 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 Tenth day of April Anno Dom. 1759 Comes again as well Stephen Bordley Esquire Attorney General who &c. as the Said Walter Tolley by his Attorney aforesaid and the Said Walter by his Attorney aforesaid as before Defends the force and Injury when &c. and Saith that he with the Debt aforesaid by Virtue of the Writing Obligatory 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 &c.

And the aforesaid Thomas 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 Words following to wit —

Maryland Ss. Know all Men by these Presents that We Thomas Sheredine John Pace junior Thomas Sligh and Walter Tolley of Baltimore County in the Province aforesaid are held and firmly bound unto the Right Honourable the Lord Proprietary in the full and just Quantity of two hundred thousand Pounds of good Sound Merchantable Leaf Tobacco and Cask to be paid to his said Lordship 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 March 1750

He also prays an Hearing of the Condition of the Writing Obligatory aforesaid and he hath it as follows. The Condition of the above Obligation is Such that if the above bounden Thomas Sheredine do well and truly Serve his Lordship 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 same Office and also shall render unto his said Lordship and other his Officers a true faithful and perfect Account of all and Singular his said Lordships 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 Lordship and other his Officers within this Province to receive and Collect and his Account to his said 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 fees Dues and Sums of Money or Tobacco due to any of the good People within this Province for any Sum or Sums of Money or Tobacco wherewith the said Sheriff shall be entrusted during the Time of his Shrievalty for this Present or to Such of them as shall require the Same shall pass and render by the Tenth day of May next ensuing the Date hereof and in all other things as Sheriff of the County of Baltimore shall behave himself well and honestly to all Persons according to the best of his Power Skill and Knowledge then this Obligation to be Void and of none Effect or else to stand in full force Strength and Virtue

He prays also an Hearing of the Indorsement of the Writ aforesaid which is read to him in these Words to wit

Memorandum The within Writ is issued on Thomas Sheredine deceased his Sheriffs Bond dated 6th March 1750 by Order of the Governor and Council on the Address of the Lower House of Assembly — Test. R. J. Ghiselin Clk.

Which being read and heard the said Thomas Saith that the said Attorney General for the Lord Proprietary that now is the Action aforesaid against him Walter to have or maintain Ought not because he Saith that after the making the writing Obligatory aforesaid and before the issuing the Writ aforesaid in the Plea aforesaid he said Thomas Sheredine in the Condition of the said Writing mentioned did well and truly Serve his Lordship 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 did execute the Same Office and also did render unto his said Lordship and other his Officers a true faithful and perfect Account of all and Singular his said Lordships Rights and Dues and to his Officers a true and just Account of their fees that he was entrusted with by his said Lordships Governor and other his Officers within this Province to receive and Collect and his Account to his said 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 fees dues and Sums of Money or Tobacco due to any of the good People within this Province for any Sum or Sums of Money or Tobacco wherewith the said Thomas Sheredine was Entrusted during the Time of his Shrievalty for that present or to Such of them as did require the Same did pass and render by the Tenth day of May next ensuing the Date of the said Writing Obligatory and in all other Things as Sheriff of the County of Baltimore did behave himself well and Honestly to all Persons according to the best of his power Skill and knowledge to wit at Baltimore County aforesaid and this he is ready to Verify &c. wherefore he prays Judgment if the Attorney

(General)