third Tuesday of May being the sixteenth Day of the same Month Anno Domini seventeen hundred and sixty nine before John Hepburn Esq.re one of the Justices of our provincial Court and others his Associates then Justices of the same Court a certain Robert Townsend Hove by Consideration of the same Court did then and there recover against a certain Henry Bradford the sum of six hundred and twenty one Pounds of Tobacco certain Costs as by the Record and Process thereof in our said Court remaining manifestly appears And whereas Execution of the same Judgement still remains to be done And we being willing that those Things which in our said Court are rightly done and transacted should be brought to a Due Execution Command you that by good and lawful Men of your Bailiwick you make known unto the said Henry Bradford that he be and appear before the Justices of our Provincial Court to be held at Annapolis the second Tuesday of April next to shew Cause if any Thing for himself he hath or knoweth to say why the said Robert Townsend Hove Execution against him for the Costs aforesaid to have ought not if to him it shall seem meet and have you then and there the ~~Writ~~ Names of those before whom you shall make the same known unto him and this Writ. Witness William Hayward Esq.re Chief Justice of our Provincial Court the 26th Day of September in the 22d Year of our Dominion &c. Anno Dom. 1772.

Ysued the 5th December 1772. (Tho. Stone.) Ra. Ghiselin Clk

Which being read and heared the said Defendant saith that the said Plaintiff ought not to have his Execution aforesaid for the Costs aforesaid because he the said Defendant saith that there is not any such Record of the Judgement aforesaid and Recovery aforesaid in the same Provincial Court of the right Honourable the Lord Proprietary now here remaining, as the said Plaintiff by his Writ hath above supposed.

And the aforesaid Defendant by Leave of the Court here, and according to the Form of the Statute in such Case lately made and provided further defends the Force and Injury when &c And says that the aforesaid Plaintiff ought not to have his Execution against him the said Defendant for the Costs aforesaid because he the Defendant saith that after Recovery of the Judgement aforesaid in the Writ of Scire facias aforesaid abovementioned, and before the Suing the said Writ of Scire facias to wit on the Day of in the Year of our Lord seven teen hundred and at the County aforesaid the said Defendant paid to the said Plaintiff the aforesaid Sum of six hundred and twenty one Pounds of Tobacco, which the said Plaintiff then and there recieved and accepted in full Satisfaction and Discharge of the Judgement aforesaid and this he is ready to verify &c Wherefore he prays Judgement if the said Plaintiff his Execution against him for the Costs aforesaid to have or maintain ought &c

And the said Robert Townsend Hove as to the first plea of him the said Henry Bradford above pleaded saith that he the said Robert Townsend by any Thing contained in the said plea from having his Execution aforesaid against the said Henry to be precluded ought not because he saith that there is such Record of the Judgement and Recovery aforesaid of the said Sum of six hundred and twenty one Pounds of Tobacco Costs aforesaid against the said Henry in the said provincial Court of the Lord Proprietary here before the honourable William Hayward chief Justice and his Associates Justices of the said Lord Proprietary's provincial Court at a provincial Court held at the City of Annapolis the third Tuesday of May being the sixteenth

sixteenth Day of the said Month in the Year seventeen hundred and sixty nine as by the Writ of Scire facias aforesaid is above supposed as by the Record of the said Judgement and Recovery now remaining in the said Court is manifest and appears And this the said Robert Townsend is ready to verify by the said Record. And therefore he prays Judgement &c And that the said Record may be inspected and Seen by the Justices of the provincial Court now here and so forth.

And the said Henry in like Manner and so forth.

And the said Robert Townsend as to the second Plea of the said Henry above pleaded saith that he by any Thing therein contained from having his Execution aforesaid against the said Henry to be precluded ought not because he saith that the said Henry hath not paid to him the said Robert Townsend the said Sum of six hundred and twenty one Pounds of Tobacco in the said Writ of Scire facias mentioned in Manner and Form as the said Henry hath by his Plea aforesaid alledged and this he the said Robert Townsend prays may be enquired of by the County and the said Henry in like Manner &c so forth.

Nevertheless the said Henry Bradford by his Attorney aforesaid relinquishing the Averments above by him pretended, says that he cannot Deny the Action aforesaid of the aforesaid Robert Townsend Hove, so as aforesaid against him brought not but that the aforesaid Robert Townsend Hove ought to have his Execution against him for the aforesaid Sum of six hundred & twenty one Pounds of Tobacco.

Therefore it is considered by the Justices here that the said Robert Townsend Hove have his Execution against the said Henry Bradford for the Sum of Six hundred and twenty one Pounds of Tobacco certain Costs in the Writ of Scire facias aforesaid specified as also the Sum of eight hundred and forty six Pounds of Tobacco by the Court here unto the said Robert Townsend Hove on his Assent adjudged for his Costs and Damages sustained by Delay of Execution of the Judgement aforesaid &c.

Test. Geo: Rankin, Clk

T. S. Robert Townsend Hove.
against
S. C. Henry Bradford.

Memorandum. The Plaintiff sued out his Lordship's Writ of Scire facias against the Defendant the Tenor whereof follows in these Words to wit.