May Term 1702

in the plea aforesaid should be convict Then the said Richard Dent yielded and granted that as well the damages as Costs and charges which to the said Benedict Calvert in that part should be adjudged of their lands and chattels should be made and levied to the use of the said Benedict Calvert in case the said Thomas Marlen the damages Costs and Charges aforesaid should not pay or his body into the Custody of the Sheriff of the County aforesaid by occasion thereof not render And the said Thomas Marlin by Samuel Chase his Attorney defends the force and injury when and so forth and prays leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also At which said next Court to wit the 10th day of October Anno Domini 1700 come again the said parties plaintiff and defendant by their Attornies aforesaid and the said Defendant by his Attorney aforesaid prays leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also At which said next Court to wit the 9th day of May Anno Domini 1701 come again the said parties plaintiff and Attornies aforesaid and the said defendant by his Attorney aforesaid prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also At which said next Court to wit the 9th day of October Anno Domini 1701 come again the said parties plaintiff and defendant by their Attorneys aforesaid and the said Defendant by his Attorney aforesaid prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also At which said next Court to wit the 14th day of May Anno Domini 1702 comes again as well the said Benedict Calvert by his Attorney aforesaid as the said Thomas Marlin by his Attorney aforesaid and the aforesaid Thomas Marlin by his Attorney aforesaid says that he cannot deny the action aforesaid of the aforesaid Benedict Calvert so as aforesaid against him brought nor but that he ought to recover his costs and no more and because the said Benedict does not gainsay but the Allegation aforesaid is true he prays Judgment and the costs and charges above acknowledged to him to be adjudged &c Thereupon by Assent of the parties aforesaid It is considered by the Judges here that the said Benedict Calvert do recover against the said Thomas Marlin the Sum of

pounds of Tobacco his costs aforesaid in form aforesaid acknowledged by the Court here on his Assent adjudged for his costs and charges by him about his suit in that behalf laid out and expended and the said Defendant in mercy &c.

Test Thos B. Hodgkin Cl

May Term 1702

R.A. Aquila Johns
against
L.M. William & Robert Molleson

Command was given to the Sheriff of Prince Georges County that he should take William Molleson and Robert Molleson late of Prince Georges County merchants if they should be found in his Bailiwick and them should safe keep so that he might have their bodies before the Judges of our General Court to be held at the City of Annapolis on the second Tuesday of October next to answer unto Aquila Johns of a plea of Trespass upon the case and so forth and that thereof he should not fail at his peril and that he should have then and there that writ &c

A Copy of the following short note was made and sent with the writ which issues in this cause

Aquila Johns
vs
William and Robert Molleson

The Plaintiffs cause of action in this suit arises on an Account stated between the plaintiff and defendants wherein the balance due the plaintiff amounts to the sum of two hundred and sixty one pounds three shillings and four pence half penny sterling money for sundry sums of money advanced by the plaintiff to and for the defendants use and at his instance and request and for work labour and services done by the plaintiff to and for the defendants use for which said Sum of money suit is brought as p. the Account herewith filed

R Ridgely p.a. Pltff

Duplicates of the aforegoing writ and short note were made and sent to Baltimore Ann Arundel and Montgomery Counties

At which said second Tuesday of October being the ninth day of the same month Anno Domini 1701 and the day of the return of the aforegoing writ comes the said Aquila Johns by Richard Ridgely his Attorney and the Sheriff of Prince Georges County to whom the aforegoing writ was directed likewise comes and makes return thereof to the Court here thus endorsed to wit - Non Est - Short note left - October 1st 1701 - Thos Williams Shff P.G. Coy and the Sheriffs of Baltimore Ann Arundel and Montgomery Countys to whom duplicates of the aforementioned writ and Short note were directed also come and make return thereof to the Court here thus endorsed to wit - Non Est

Afterwards to wit on the 14th day of May Anno Domini 1702 comes again the said Aquila Johns by his Attorney aforesaid and prays that forasmuch as he hath complied with the law in order to an Attachment he may have Judgment against the said Defendants for his damages by occasion of the premises aforesaid by way of Attachment according to Act of Assembly &c Thereupon for that it appears to the Court here that the aforesaid Aquila Johns hath complied with the Law as alledged he having made sufficient proof of his damages to the Court here Therefore It is considered by the Judges here that the said Aquila Johns recover against the said William and Robert Molleson as well the sum of five hundred and ninety eight pounds four Shillings and five pence halfpenny Sterling money his damages aforesaid as also all costs and charges by the said Aquila Johns about his suit laid out and