Judgments.

and prays leave to imparle thereunto, until the next Court, and he hath it. And the same day is also given to the said State, and it hath it &c — At which same time, towit the first Monday of May in the year seventeen hundred and ninety seven, came again the parties by their Attornies aforesaid, when the Defendant by his Attorneys aforesaid produces here into Court, the States writ of Habeas Corpus, which he prays may be allowed, and a Record transmitted agreeably to the Command thereof, which the Court here present after due consideration do allow, and Return up the Record of proceedings accordingly — And which said writ of Habeas Corpus was closed in these words following, towit. — The State of Maryland &c, To the Justices of Queen Anns County Court, and Sheriff of Queen Anns County, Greeting: Whereas a certain David Lindsay (Seal of the Eastern Shore) is detained in the prison of your said County, under the custody of you, our said Sheriff, at the suit of the State of Maryland, of a plea of Debt, which said plea, as it is (Gen. Court) said still depends before you our said Justices undetermined; and we being willing for divers causes that the plea aforesaid undetermined as aforesaid should be heard and determined before the Judges of our General Court — Therefore we Command you that you have the body of the said David Lindsay, by whatsoever name or names, he may be called in the plea aforesaid together with the cause of his Caption and detention, and all things thereunto relating, before the Judges of our General Court, to be held for the Eastern Shore of this State, in Talbot County, at the Court House, in the same County, on the second Tuesday of September next, that our said Judges of our said General Court, may further proceed therein as to Justice appertains and so forth — Hereof fail not at your peril and have you then and there this writ — Witness the Honorable Robert Goldsborough Esquire Chief Judge of our said Court the 11th day of April Anno Dominii 1797 — Issued the 16th day of May Anno Dominii 1797 &c — Test. H. N. Rd. — James Earle Junr. Clerk — Queen Anns County towit. — I do hereby certify that the aforegoing is a true Copy from the Record of proceedings of Queen Anns County Court — In Testimony whereof I have hereto set my hand, and affixed the Seal of my Office this (Seal of Queen Anns County Court) twenty ninth day of September Anno Dominii 1797. — Jas. Earle Junr. Clerk of Queen Anns County Court —

Thereupon, appeared in our General Court, as well Richard Tilghman Earle, Esquire, who for the said State, in this behalf doth prosecute, as the said David Lindsay by Joseph Hopper Nicholson and Robert Wright Esquires, his Attornies; which the said David Lindsay by his Attornies aforesaid defended the force and injury when &c, and prayed leave of the Court to imparle until the next Term, and he had it. The same day was given to the said Richard Tilghman Earle, Attorney for the State as aforesaid, then &c — At which said next Term, towit, the second Tuesday of April in the year of our Lord one thousand seven hundred and ninety eight, came again into Court as well the said Richard Tilghman Earle, Attorney for the State as aforesaid, as the said David Lindsay by his Attornies aforesaid — Thereupon on motion of the said Richard Tilghman Earle, Attorney for the State as aforesaid, it was ruled by the Court that the said David Lindsay answer to the Declaration aforesaid of the said State in the plea aforesaid — And the said David Lindsay by his Attornies aforesaid

further defended the force and injury when &c, and prayed leave of the Court to imparle until the next Term, and he had it. The same day was given to the said Richard Tilghman Earle, Attorney for the State as aforesaid, then &c — And now here, at this day, towit, the second Tuesday of September in the year of our Lord one thousand seven hundred and ninety eight, came into Court, as well the said Richard Tilghman Earle, Attorney for the State as aforesaid, as the said David Lindsay by his Attornies aforesaid; and the said David Lindsay by his Attornies aforesaid further defended the force and injury when &c, and prayed a hearing of the writing Obligatory in the Declaration aforesaid mentioned and also of the Condition thereof, and they are read to them in these words and figures, following, towit. — State of Maryland &c. Know all men by these presents that we Thomas O'Bryon, Clement Sewell and David Lindsay of Queen anns County in the State aforesaid are holden and firmly bound unto the State of Maryland, in the penal sum, and just quantity of two hundred thousand pounds of good, sound, Merchantable leaf Tobacco and Cash, to be paid to the said State. To the which payment well and truly to be made and done 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 twentieth day of November anno Dominii 1793 — The Condition of the above Obligation is such, that if the above bound Thomas O'Bryon do well and truly serve in the Office of High Sheriff of Queen Anns County within the State aforesaid, and in all things well and faithfully execute the same Office, and also shall render to the said State, and others, the Officers thereof, a true, faithful and perfect account of all and singular, the said State's Right, and dues, and also to the Officers a true, and just account of their fees, that he shall or may be entrusted with by the said States Governor, and others, the Officers within this State, to receive and Collect, and his account to said State, and to the Governor here for the time being, for the fines and forfeitures, and other dues belonging to the said States Governor, as also his account of all fees, dues, and sums of Money, and Tobacco due to any of the good people within this State 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 year, or to such of them as shall require the same, shall pay and render by the twentieth day of October next ensuing the date hereof, and in all things as Sheriff of the County of Queen Anns shall behave himself well and honestly, towards all persons, according to the best of his power, skill, and knowledge — Then this Obligation to be void, and of no effect, or else to stand in full force strength and virtue —

Signed, Sealed and Delivered, in open Court, in presence of Saml. Wright Clk. — Richard Willson

Thomas O'Bryon — (Seal)
Clem: Sewell — (Seal)
David Lindsay — (Seal)

Thereupon, the said David Lindsay by his Attornies aforesaid, says, that he cannot gainsay the action aforesaid of the said State of Maryland, &c as aforesaid against him brought, nor can he deny but that he unjustly detains from the said State, the full sum, and just quantity of two hundred thousand pounds of good, sound, Merchantable leaf Tobacco, and Cash, in manner and form as the said Richard Tilghman Earle, Attorney for the State as aforesaid, above thereof against him, hath Complained — Therefore it is considered by the Court here, that the said