Covenants Contained in the Condition of the Writing aft According to the form and Effect of the Same Condition for Plea the said Attorney General Saith that the said John Hack continued Sheriff of the County aft from the date of the writing aft until the Seventeenth day of November Anno Dom: Seventeen hundred and twenty three to wit at Cecil County aft and that during the said John Hacks Continuance in the said Office Viz: the twentieth day of November Anno Dom: Seventeen hundred and twenty two at the County aft a certain John Thomas of Cecil County Carpenter he the said John then and still being one of the good people of the Province of Maryland was allowed Seven thousand pounds of Tobacco in the Levy of the said County in the hands of the said John Hack then Sheriff to be paid by the said John Hack when thereunto required to the said John Thomas And the said Attorney General all further Saith that the said John Thomas afterwards Viz: the Twentieth day of November in the year last mentioned at Cecil County aft signified to the said John Hack the said John Thomas his Dependance and Resolution of making use of his said Tobacco that same year and then and there required the said John Hack to pay the said Seven thousand pounds of Tobacco which said Seven thousand pounds of Tobacco or any part thereof the said John Hack to the said John Thomas hath not yet Rendered but the same to him to render hath always Gainsaid and still doth gainsay and this the said Attorney General is ready to verify and therefore prays Judgment for the Debt aft to gether with the Damages Occasioned by Detention of that Debt to the said Lord proprietary to be adjudged with this that the said Attorney General will verify that the said John Thomas in this Replication mentioned and John Thomas at whose request the said John Hack his Sheriffs bond was put in Suit is one and the same person and not Other or diverse.

And the said Benjamin Protesting that he the said John Thomas was not allowed Seven thousand pounds of Tobacco in the Levy of Cecil County on the aforesaid Twentieth day of November Anno Dom: Seventeen hundred and twenty two Likewise protesting that the said John Thomas on the twenty fifth day of December in the year aft no before did not give notice to the said John Hack of his resolution of making use of the Tobacco aforesaid that same year Yet for rejoynder the said Benjamin Cox Saith that the said John Hack hath paid to the aforesaid John Thomas the said Seven thousand pounds of Tobacco according to the Condition of the bond aforesaid to wit at Cecil County aft and of this he puts himself upon the Country &c.

And the said Attorney General who also

Yet Notwithstanding the said Benjamin Cox by his Attorney aft Relinquishing his (Contest)



Contest aforesaid by him above pretended as before Defends the force and Injury when &c. and Saith that he Cannot gainsay the said Lord propry his Action aforesaid so as aforesaid against him brought nor Can he say but that the writing Obligatory aft is his Act and Deed and the Debt therein Mentioned yet due and Unsatisfied. Wherefore the said Attorney General for the said Lord propry prays Judgment for the Debt aft to gether with the Damages Sustained by Reason of Detaining the Same Debt to the said Lord Proprietary to be Adjudged &c.

Therefore it is Considered by the Justices here the 20th day of October Anno Dom: 1724 aforesaid that the said Lord Propry Recover against the said Benjamin Cox the aforesaid full Sum and Just Quantity of two hundred thousand pounds of good Sound Merchantable Leaf Tobacco and Cash the Debt aforesaid in form aft Confessed. And the said Benj: Cox in Mercy &c.

Mr. The Lord Propry
vs
Thomas Bowman } This Cause Stood Continued to this Court wherein the Record was sent down to the Assizes And now this Court the Same Record is returned wherein it appears there is Verdict found for the Defendant But for that the Court here are not Advised of their Judgment on the said Verdict day is therefore given to the said Lord Propry and the said Thomas Bowman to hear there of their Judgment until next Court for that the said Court as yet are not &c.

Mr. James Govan adm: Thomas Homewood
vs
Mr. James Thompson Adm: Elizabeth Burrell who was adm: of James Martin Gamesford of David Dennis . . . . . } September Term 1723 ss. St Marys County ss.

Be it Remembered that heretofore to wit the twenty first day of April in the Seventh year of the Dominion of the Right Honorable the Lord Proprietary that now is Anno Domini 1722 the said Lord Proprietary Sent his Close writ of Attachment Directed to the Sheriff of Saint Marys County the Tenour whereof follows in these words Viz: Maryland ss. Charles Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c. To the Sheriff of St. Marys County Greeting We Command you that you Attach any the Goods Chattels Rights or Credits of David Dennis late of the City of London in Ann Arundell County Merchant wi they shall be found in your Bailywick to the value of two hundred and Ninety pounds Twelve Shillings and Nine pence Sterling and Ten thousand pounds of Tobacco and when you have the Same so attached or any part there of the Same in your Custody safe Keep so that you have the Same before the Justices of our Provincial Court to be held at Annapolis the Second Tuesday of September next then and there to be condemned According to Act of Assembly to and for the use of Martin (Jenny)