

26000 pounds of Tobo or there abouts by means of Chargeing his insolvent Debts therein, and interest wth interest upon interest as aforesaid he procured your orators Sheriffs bond to be put in Suit tho' as your Orator is well informed he had noe authority soe to do And tho' the Neglect absence or other Remissness of your orators Attorneys in not duely filing Some pleadings Requisite in the Cause had Judgment on the Said bond against yo^r orator and his Security (without the Meritt of the Cause being in the least come in debate or to A hearing) and the Said 26000 and odd pounds Assigned him out of the Said Judgment as your orator is informed tho your orator does not in the least Question (had the meritt of the Matter been fully heard before any Court of Justice or Jury) Your Orator had been Cleared from the Oppressions of the Said Bordley w^{ch} are ag^t all Justice equity and good Consience. And now not otherwise Releivable but before your Excellency in this Hon^{ble} Court. Wherefore the premises considered and to the End that yo^r orator may have a fair hearing before he be Compelled by the Rigour of the Common Law and the Said Bordley's Violent proceedings against him to pay soe considerable a demand no ways grounded on Justice Equity or good Conscience he most humbly prays Your Excy will be pleased to grant him the R^t Honourable the Lord proprietary's gracious writts of Injunction and Subpena to be Directed to the Said Bordley his Councillors Sollicitors and Att^y's the Said Injunction Commanding them to forbear [372] and cease from all further proceedings Against your Orator at law till the Matter in Equity be heard before your Excy And the s^d Subpœna Commanding him the s^d Bordley at a day certain and under a certain penalty therein to be limited and expressed to be and appear Before your Excellency in this Hon^{ble} Court to answer the premisses And that in his Said Answer he particularly and distinctly Set forth Whether your Orator has not frequently urged him to receive the Tobo from year to year left by him in your Orators hands And what the reason was he did not receive the Same. Whether your Orator did not according to his own demands give him orders on Herring Bay for the Quantity of Tobo herein before mentioned, and that upon good Substantial Solvent persons, And whether he did not insist to them or Some of them for Bills of Exch^a for the Tobo, and not the Tobo it Self, whether he does not know in his own Conscience that Severall of the debts he Expects to be made good by your Orator were not at the time he gave execution for them desperate insolvent or the persons Runaway And whether ever M^r Tho^s Reynolds the present Sherriff did not tender him payment or offer to account for the said Balance of 3486£ Tobo which only your Orator conceived due to him And by what authority, and by whose allowance he put your Orators bond in Suit.

That upon the whole matter your Excellency may make Such Decree for relief of your Orator in the premisses As shall by your Excy in your great