

Hugh Eccleston did not make any Account of and upon his Said Administration Within Twelve months from the Time of his Admittance thereto Or at any Time before or after.

Lastly The Said Replication wanteth form.

And the Said Attorney Generall for that he hath above in pleading alledged Sufficient matter in Law to have and Mantain the Action af^d for the Said Lord the King Against the Said Henry Ennalls hath not Gainsayed nor thereunto in any Sort Answered but the Same to Admitt for true hath Altogether refused prays Judgment and the Debt af^d together With the Damages Sustained by Occasion of Detaining that Debt to the Lord the King to be Adjudged etc.

Whereupon all and Singular the premisses being by the Court here Seen heard and fully Understood And Mature deliberation being thereupon For that it Seems to the Court here that the plea of the Said Danel Dulany Esq^r Attorney Generall as af^d above in Replying [642] pleaded and the Matter therein Contained are not Sufficient in Law for the Said Daniel Dulany Esq^r Attorney Generall as af^d the Action af^d for the Said Lord the King Against the King [sic] against the Same Henry Ennalls to have and and [sic] Mantain.

Therefore It is Considered by the Justices here the 19th day of May Anno Dom 1724 af^d that the Said Lord King take Nothing by the Writt af^d and that the Said Henry Ennalls go thereof without day.

And also It is Considered by the Justices here that the Said Henry Ennalls recover against John Eccleston of Dorchester County at whose Instance this Action was brought the Sum of One Thousand and five pounds of Tobacco by the Court here adjudged unto him for his Costs and Charges by him about his Defence in this behalfe laid out and Expended According to the form of the Act of Assembly in that Case made and provided. Whereupon Daniel Dulany Esq^r his Lordships Attorney Generall as af^d at the Instance and request of the Said John Eccleston Prays an appeale from the Judgment of this Court So as af^d rendered to the Honourable the Governour and Councill of this Province Sitting as a Court of Appeals Which is Accordingly granted upon giving Security According to the Direction of the Act of Assembly in that Case made and provided. Thereupon the Said John Eccleston together with Nathaniel Wright and Robert Hart his Sureties Come into Court and enter into Bond for the due prosecution of the Said appeale in Manner and form following Viz^t

1724

Know all men by these presents that we John Eccleston of Dorchester County Nathⁿ Wright of Queen Anns County and Robert Hart of Dorchester County in the province of Maryland are held and firmly bound unto Henry Ennalls of Dorchester County Gent in the Penal Sum of Ten Thousand Pounds of good Sound Merchantble Tobacco to be paid to the Said