

ready to be produced) the Said Cause on the bill af^d being heard it Was Decreed that the Injunction formerly granted in the Cause Should be Dissolved and the Bill be Dismist With Costs upon W^{ch} there Was an Appeale prayed and granted to the High Court of Appeals in Chancery Which Appeale was Dismist at the Appellants Councells request and no farther proceedings therein on behalf of the Complainant that ever this Defendant heard of. And this Defendant further Saith That he believes it to be true that by means of the Complainant or the procurement of his Agents in this province the S^d Powlson Was a long Time detained in prison for Want of the Money he had recovered of the Complainant which he was kept out of by the many Delays of the Complainant and his Agents for want of the moneys Credit or friends So that he became Grievously Sick with the dry Gripes and other Distempers whilst in the Jayl and that (as this Defendant believes) doubting he might Perish there for Want of relief before he could obtain his due from the Said Complainant about Febr'y 1721 petitioned for and obtained an Act of the Generall Assembly for his relief as a languishing Prisoner As by the Same Act Lodged in the Secretarys office May Appear In Compliance wth which Act the Said Powlson Delivered up or assigned to then Sherr Henry Lazenby Gent. Sundry particulars Which he Assigned as his Whole Estate for the payment of his Creditors Amongst Which particulars were the S^d Bills for 600 lb and the Tobacco Note af^d Which Bills after the Dissolution of the Injunction af^d To Witt on the 12 Day of Aprill following anno 1723 this Defend^t believes and hopes to prove were delivered up by the S^d Stephen Warman to the S^d Henry Lazenby to pay the S^d Powlsons Creditors According to the Act af^d and for Cause of his belief Saith that he hath in his hands ready to produce a Copy of the S^d Lazenbys receipt Attested by the Said Warman which follows in these words April 12th 1723 Then received of Stephen Warman Late Sherriff of Annarundell County three Bills of Exch^a of Thomas Cockey's dated May the Second Seventeen hundred [697] Twenty one payable to Gilbert Powlson and drawn on Jonathan Forward Merchant in London for Six hundred Pounds Sterling and Likewise A Note of the S^d Thomas Cockeys for Seven Thousand Seven hundred and Twenty four Pounds of Tobacco payable to the Said Gilbert Powlson which Said Bills and Note were Lodged in Stephen Warmans hands the Sherriff of Annarundell County till Such Time as they had a farther hearing in Chancery but the S^d Gilbert Powlson being Cleared by Act of Assembly upon his Surrendering up what he had to pay his Creditors did by Vertue of Said Act Assign the Said Bills and Note to Henry Lazenby new Sherriff of the Said County as part of his Effects to pay his Creditors Which above Said Note and bills I Acknowledge I have received unto my Custody from the S^d Stephen Warman As Wittness my hand the Day and year above. Henry Lazenby. Testes Thomas Jobson. That afterw^{ds} To Witt on or about the fourteenth of June 1723 Sundry the Justices of Annarundell County Summoned by the