

the fourth Tuesday in January next and likewise att the time of Executeing this writt he give notice to all person or persons in whose hands or possession hee attached Such goods as aforesaid that they be and appear [before] [394] the Justices of our next Court to be held att Charles Towne as aforesaid to Shew Cause if any they have why the Goods soe attached as aforesaid Should not be Condemned and Execution thereon had and made etc.

Att which Said Day the Said Sheriffe came into Court and made returne of the Said writt Endorsed on the back as Followeth.

Atteached in the hands of Thomas James twelve hundred pounds of Tobacco and Summoned per Thomas Greenfeild Sheriff.

Att which day here came David Small Treacys administrator as aforesaid and the Said Thomas Vaughun though Solemnly Called came not but made default, by vetue of the aforesaid Summons Thomas James Appeared and owned that he did owe unto Thomas Vauhun the Sume of twelve hundred pounds of Tobacco atteached as aforesaid for one Mare and Colt bought of him to be paid by one hogshead a year (to witt) three years day of Pay, Whereupon the Said David Small Prayeth that the Tobacco so atteach[ed] as aforesaid may be condemned and that Execution thereon to be had and made and by the Court it is Granted that the Tobacco so atteached Shall be Paid him according to the agrement had and made (to witt) one hogshead yearly till the whole be Paid.

John Morke Plaintiff: John Joshling Defendant

John Joshling late of Prince Georges County Planter Otherwise Called John Joshling of Prince Georges County in the Province of Maryland planter was Summoned to answer unto John Morke of a Plea that hee render unto him the full and Just Sume of Six Hundred pounds of good sound Merchantable Leaf Tobacco in Caske to Conteine the Same which to him hee oweth and from him he unjustly deteineth etc.

And whereupon the Said John Morke by Joshua Cecell his attorney Complaineth that whereas the Said John Josling the 29th day of Aprill in the year of our Lord 1698 att Charles Towne within the Jurisdiction of this Court By his certaine bill obligatory which the Said John Morke with the Seal of the [Said] John Josling bringeth here into Court the date whereof is the Day and year aforesaid did binde himselfe his heires Executors Administrators to pay or Cause to be paid unto the Said John Morke of the Same County and province Carpenter his heires Executors Administrators or assignes the full and Just sume of Six hundred pounds of good sound Merchantable Leaf Tobacco in Caske to Conteine the Same to be Paid upon the plantation whereon the Said John Josling did then dwell by or upon the tenth day of October next ensueing the Date of the Said bill obligatory Notwithstanding which the Said John Josling the said sume of 600 pounds of Tobacco in Caske Acording to the tennor of the Said bill obligatory although often required the Same to the Said John Morke hath not paid but the Same to pay to the Said John Morke hath denied and Still doth denye to the Damage of the Said John Morke of 1200 lbs. of Tobacco and thereupon he brings this Suite etc.

Pledges etc. John Doe, Richard Roe. Joshua Cecell.

The Plaintiff by Joshua Cecell his attorney haveing Caused a Copy of the Declaration by the Sherife Delivered to the Defendant att the time of Serveing the writt upon the Said Defendant which was Eight dayes before this Court whereupon the Said Plaintiff prayeth that the Said Defendant to his Declaration this Court may answer according to an act of assembly in that case made and