November Court 1708

he should be found in this Cayltowne shall safe keepe so that he bee had his body before the
said Magistrates Justices of ye next Court to be held at ye Court house in ye Towne of St Mary's
in said County to Answer unto Benjamin Brain of London Merchant of a plea that he
render unto him ye said ye 1st June ye quantity of two thousand & twelve pounds of
good sound Merchantable Tobacco which he owe he owe him & unjustly detaineth
and that he have then there ye said Writ &c At which said next Court first the
Twenty fourth day of August in ye yeare aforesaid ye day of return of the said Writ came Coll
Nathaniel Hynson high Shrift of said County & made return thereof in these
words thereon indorsed viz Cepi Corpus & me Nath Hynson Shrift and the
said Defendant being solemnly called came and the said plaintiff by John Wellinger
his Attorney moved ye Court here that the said Defendant may give special bayle to
ye said action of Trover ye said Benjamin Ordered by the Court here that the said
John Horring the Defdt give special bayle to ye action aft against him and likewise
that Coll Nathaniel Hynson high Shrift of this County keepe ye said John Horring
in safe custody untill he give special bayle to ye said action. & ye Patrick Thomas
Christian of said County here in Court cometh & becometh bayle & doth undertake
for ye said John Horring ye payment of ye debt and costs if it shall happen that
the said Benjamin shall obtaine judgment against the said John Horring
in the said action of Debt ye said John ye Condemnation shall not
satisfie nor himselfe to ye custody of the Shrift of said County deliver or
that ye said Thomas ye body of ye said John shall not Rendor &c
AND the said John afterwards appeared and prayed liberty thereof to
imparle unto next Court wch was to him granted the same day. Wherefore
ye Writ &c Likewise
At a Court held by ye Twenty Eighth day of September in the yeare aft
the said Cause was continued unto the next Court
At which said next Court this Twenty fourth day of December in ye
yeare aft the said Cause standing for Tryall came the said plaintiff by John
Wellinger his Attorney and declares viz St Mary's County in Maryland ss John
Horring of St Mary's County Planter alias wise called John Horring of Calvert County Planter
was summed to Answer unto Benjamin Brain of London Merchant of a plea that he
render unto him ye said ye 1st June a quantity of two thousand twelve pounds
of good sound Merchantable Tobacco which he ought and from him unjustly
detaineth &c Wherefore ye said Plaintiff by John Wellinger his Attorney saith
that whereas ye said John Horring on ye Eighth day of May in ye yeare of our Lord one
thousand seaven hundred & five in St Mary's County aforesaid within ye Jurisdiction of this Court
by his certaine writeing obligatory sealed w: his seale as his act & deed delivered and here
in Court produced whose date is ye same day & yeare aboresaid did grant himselfe to be
held firmly bound unto ye said Benjamin in ye aboresaid Summe of Two thousand
twelve pounds of Tobacco to be paid to ye said Benjamin his heirs Executors Adm
or assigns for wch payment well & truly to be made he bound himselfe his heirs Ex
Adm firmly by ye same writeing obligatory Nevertheless ye said John Horring
altho often required &c ye aboresaid Summe of Two thousand twelve
pounds