253: Two hundred & fifty [illegible] Pounds of Tob.o for his Costs Charges & Damd. which he Sustained by Occasion of Delay of Execution of the Damd. afd &

Vt. Willm. Hopkins & The Same

Memorandum the Defdt by Francis Allen his attly Sued out his Lordships Writt of Scirefacies against the Defdt the tenour whereof Followetth in these words viz.

Sondrett ss: Charles absolute Lord & Proprietary of ye Province of Maryland and Avalon Lord Baron of Baltimore &c. To the Sher. of Sondrett Cty Greeting whereas a certain Randall West late of Sondrett Cty Planter Lately in our Cty Ct. of Sondrett here to wit ye Eighteenth day of Novemr. Anno Domi. one thousand Seven hundred & twenty Eight before Saml. Hopkins Gent. & his associates then our Justices at Dividing Creek in our Cty afd assumed upon himself & did undertake for a certain Wm West late of Sondrett Cty Planter that in Case a certain Wm. Hopkins should recover Judgmt. against ye afd Wm. West in a certain Plea of trespass upon ye Case &c. by ye name Wm Hopkins against ye afd Wm. West in our same Court & Recovered on ye name Wm. should be there in Convict that then ye name Wm. all the Damd. which to ye name Wm. Hopkins in our same Court here in the afd Plea of trespass upon ye Case &c. that should be adjudged would Satisfie or his Body in Execution of such Judgmt. to ye Sher. of Sondrett Cty would Render or ye he ye sd. Rand. West would do the Same for him & the ye afd Wm. Hopkins afterwards to wit ye Seventeenth day of June Anno Domi. one thousand Seven hundred & twenty nine in our Same Court before ye name Saml. Hopkins Gent. & his associates then our Justices of Sondrett Cty Ct. at Dividing Creek afd & by Consideration of ye same Court Recovered against the afd Wm. West Nine hundred & Eleven & a halfe Pounds of Tob.o for his Damd. which he Sustained by Occasion of a certain Promise & assumption to ye name Wm. Hopkins by ye afd Wm. West made & not Performed whereof he is Convict as by the Record & Proceedings thereof in our same Court before our Justices at Dividing Creek afd Manifestly appeareth Nevertheless ye afd Wm. West his Body in Execution & Such Judgmt. to ye afd Sher. of Sondrett Cty hath not Rendered nor ye name Wm West the Damd. afd to ye afd Wm. Hopkins hath not Satisfied. Neither hath ye afd Randall Done the Same for him as by ye Insimuation of the afd Wm. Hopkins we have received & because we are Willing ye those things which in our sd. Ct. are rightfully Acted & Acknowledged Ought to be duly Executed we Command you ye by Honest & Lawfull Men of your Bailywick you make Known unto ye afd Rand. West that he be & appear before our Justices of our Cty Ct. of Sondrett to be Held at Dividing Creek ye third tuesday of ye June next to Shew Cause if any thing for himself he hath or Knoweth to say wherefore ye afd Wm. Hopkins his Execution against him of ye Damd. afd to have Ought not According to ye form of ye Recognizance afd it unto him it shall seem Expedient & have you then there the Names of them by whom to him you make ye same Known & this Writt Witness Wm. Clamer Gent one of our Justices of our sd. Ct. ye twentyeth day of March in ye Sixteenth Year of our Dominion &c. Anno Domi. one thousand Seven hundred and ~~Eighty~~ twenty Nine

All which said third tuesday of June to wit ye Sixteenth Day of ye same Month Anno Domi. one thousand Seven hundred & thirty being ye Day of ye Return of the said Writt Cometh the said Wm. Hopkins by his attly afd & the Sher. of Sondrett Cty to wit) Jno. Purnell Gent. at ye same Day Returned that he by virtue of ye Writt afd to him Directed had Made Known to ye afd Rand. West by Hugh Porter and Jno. Doe Honest & Lawfull Men of his Bailywick that he be before the Justices of his Lordships

(Ct.)