

L. H. J.  
Liber No. 47  
May 25

said County brought an Action against the said Nalley in the County Court, for the Recovery of a Sum of Tobacco due from the Predecessor of the said Nalley; to which Action the said Nalley appeared and gave Judgment the first Term; and being told by the said Court to get special Bail, went out, and in a short Time returned to the Court, and offered a certain Henry Martin, a Freeholder of the same County, for his Bail; and then went home about his Business, supposing the same had been taken; and in about six Weeks time paid the Ballance of the said Debt, and Cost on said Suit, to a certain Matthew Barns, of the said County, for the Use of the said Hanson; not in the least doubting, but that he was then quite clear of any Demand on Account of that Judgment, by any Person or Persons whatsoever: 'Til about six Months after the Payment of the said Tobacco, to his great Surprize, the said Matthew Barns acquainted him that he was then his Prisoner, and had been such from the Time the Court had directed him to get special Bail to the aforesaid Action: he the said Nalley being committed to him, as one of the Coroners of the said County, for not giving such Bail; and some Time afterwards, on seeing the said Barns, again was told by him, that if he did not pay him the Tobacco due on his Imprisonment Fees, he would actually sue him: And accordingly, by Mr. Jeremiah Chase, his Attorney, (on the Terms of No Purchase no Pay) did bring his Action on the Case, upon an Indebitatus assumpsit, against him the said Nalley, in the Sum of 4041 lb. of Tobacco, as by an Account from the Record thereof, hereunto annexed, at large may appear: And altho' the said Nalley employed a Lawyer in the Cause, and paid him his Fee; yet, nevertheless Judgment went by Default against him, and Damages assessed by the Court for the aforesaid Sum of 4041 lb. of Tobacco, and 244 lb. Tobacco Cost; altho' it does not appear to your Committee, that the Plaintiffs Account was proved, or if it had, as the Case is circumstanced, that it ought in any Shape to have been allowed. p. 67

All which is humbly submitted to the Consideration of the House.

Signed per Order, Wm. Wilkins, Clerk.

On reading the said Report, Ordered, That the Clerk do issue Summons for Mr. Walter Hanson, Mr. Robert Yeates, Mr. Daniel of St. Thomas Jenifer, and Mr. Matthew Barnes, to attend at the Bar of this House, on Wednesday next, the 30th Day of May, to answer the Complaint therein set forth. And,

Mr. Nicholas Goldsborough, from the Committee of Aggrievances, delivers to Mr. Speaker the following Report; viz.

By the Committee of Grievances and Courts of Justice,  
May 25, 1750.

Peter Dent, of Charles County, complains, that last April was twelve Months, being at Bryan-Town in the said County, a certain