I Henry Hardey empower, authorize and appoint Thomas D Merrick Esquire to appear for me in the above Action, Given under my hand and Seal this third day of May seventeen hundred and Ninety four — — —

Witness, Notley Maddox — Henry Hardey — —

To the Honorable the Judges of the General Court —

And the aforesaid Henry Hardey by Thomas DuSlust Merrick his Attorney aforesaid comes and defends the force and injury when and soforth, And prays leave of the Court to Imparle hereunto until next Court, and he hath it, and the same day is given to the Plaintiffs also — At which said next Court to wit, the second Tuesday of October being the fourteenth day of the same Month, Anno Domini seventeen hundred and Ninety four, come again here into our General Court as well the aforesaid John Laird and Thomas Dick Executors as aforesaid by their Attorney aforesaid as the aforesaid Henry Hardey by his Attorney aforesaid, And the aforesaid Henry Hardey by his Attorney aforesaid as before defends the force and injury when and soforth — And saith that the aforesaid John Laird and Thomas Dick Executors as aforesaid their Action aforesaid against him to have or maintain ought not &c. Because he saith that he the said Henry Hardey did pay unto the said Robert Dick in his life time the said sum of Money in the Condition of the said writing Obligatory mentioned with legal Interest thereon according to the form and effect of the Condition of the said Writing Obligatory and this he is ready to verify, Wherefore he prays Judgment if the aforesaid John Laird and Thomas Dick Executors as aforesaid their Action aforesaid against him to have or maintain ought &c — And the aforesaid John Laird and Thomas Dick Executors as aforesaid say, that they by any thing by the said Henry Hardey above in pleading alledged from having or maintaining their Action aforesaid against him ought not to be precluded because they say that the aforesaid Henry Hardey did not pay unto the aforesaid Robert Dick in his life time the aforesaid sum of Money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the aforesaid Henry Hardey above by pleading hath alledged, and of this they pray may be enquired of the Country, And the aforesaid Henry Hardey in like manner and soforth — —

Therefore let a Jury thereupon appear before the Judges of our General Court here on the second Tuesday of May next, by whom &c. and who neither &c. to recognize &c. because as well &c. the same day is given to the parties aforesaid then and there &c. — —

And now here at this day to wit the said second Tuesday of May being the twelfth day of the same Month Anno Domini seventeen hundred and Ninety five come again here into our General Court as well the aforesaid John Laird and Thomas Dick Executors as aforesaid by their Attorney aforesaid, as the aforesaid Henry Hardey

in his proper person, Whereupon it is Ruled by the Court that the Defendant in this Cause employ new Counsel this Term, his former Counsel being dead, Nevertheless the aforesaid Henry Hardey by William Hilty his Attorney comes again here into Court and relinquishing the averment aforesaid above by him pretended says that he cannot deny the action aforesaid of the aforesaid John Laird and Thomas Dick Executors as aforesaid so as aforesaid against him brought, nor but that he owes to the aforesaid John Laird and Thomas Dick Executors aforesaid the aforesaid sum of one thousand three hundred and two pounds eight shillings and ten pence Current Money in manner and form aforesaid so as the aforesaid John Laird and Thomas Dick Executors as aforesaid above against him have declared — Therefore it is considered by the Judges here that the aforesaid John Laird and Thomas Dick Executors as aforesaid recover against the said Henry Hardey as well the sum of one thousand three hundred and two pounds eight shillings and ten pence Current Money their debt aforesaid in form aforesaid confessed as also the quantity of eight hundred and fifty seven pounds of Tobacco by the Court here unto the aforesaid John Laird and Thomas Dick Executors as aforesaid on their absent adjudged as well for their damages sustained by reason of the detention of that debt as for their costs and charges by them about their suit in this behalf laid out and expended, And the said Henry Hardey in Mercy and soforth — Memorandum, Judgment was rendered in this Cause on the twenty seventh day of May Anno Domini seventeen hundred and Ninety five for penalty and Costs of suit; And the Plaintiffs agree to release the penalty upon the payment of principal Interest and Costs, and agree to stay Execution until the first day of August next payments if any to be allowed —

Test, John Georim Clerk — . —

Afterwards to wit, On the twenty seventh day of July Anno Domini one thousand seven hundred and Ninety five the aforesaid Henry Hardey produced the State of Maryland's Writ of Error commanding the Judgment aforesaid to be transmitted to the State of Maryland's High Court of Appeals, the tenor whereof ensues in the words and figures following to wit — Maryland Sc. The State of Maryland to the Honorable the Judges of the General Court, Greeting because in the Record and process and also in the rendering of Judgment on a certain Action brought by John Laird and Thomas Dick Executors of Robert Dick against a certain Henry Hardey for the sum of thirteen hundred and two pounds eight shillings and ten pence Current Money and Costs to be released on the payment of six hundred and fifty one pounds four shillings and five pence Current Money with Interest thereon from the thirteth