Judgments

Court to imparle untill the next Term, and he had it. The same day was given to the said Thomas and Robert Anderson, then, &c — At which said next Term, towit, the second Tuesday of April in the year of our Lord one thousand seven hundred and ninety eight came again into Court the parties aforesaid, by their attornies aforesaid, and the said Thomas and Robert Anderson by their Attorney aforesaid, Declared against the said John Cain in the plea aforesaid in manner and form following, towit — Eastern Shore, State of Maryland, Queen Anns County towit, John Cain late of Queen Anns County was summoned to answer unto Thomas and Robert Anderson of a plea that he render unto them the sum of one hundred and eighty two pounds, ten shillings and two pence, which to them he owes, and from them he unjustly detains and so forth — And whereupon the said Thomas Anderson and Robert Anderson by James Houston their Attorney say, that whereas the aforesaid John Cain, on the twenty fourth day of September in the year of our Lord one thousand seven hundred and ninety five, at Queen Anns County aforesaid by his certain writing Obligatory, acknowledged himself to be held and firmly bound unto the said Thomas and Robert Anderson in the aforesaid sum of one hundred and eighty two pounds ten shillings and two pence Current money to be paid to the said Thomas and Robert Anderson when afterwards he should be thereunto required — Nevertheless, the aforesaid John Cain (although often thereunto required) the aforesaid sum of money to the said Thomas and Robert Anderson hath not rendered or paid, but the same to them hitherto, to render or pay he hath altogether refused, and still doth refuse; wherefore they say they are the worse, and have Damage to the value of twenty pounds Current money as aforesaid, and therefore they bring suit and so forth — and bring here into Court the writing Obligatory aforesaid, sealed with the seal of the aforesaid John Cain, which the Debt aforesaid, in form aforesaid witnesseth, the date whereof is the day and year aforesaid and so forth — James Houston for the plaintiff, pledges &c — John Doe and Richard Roe —

The writing Obligatory in the Declaration aforesaid mentioned, ensues as follows, towit —

Maryland; Know all men by these presents, that I John Cain of Queen Anns County and State of Maryland, am held and firmly bound unto Thomas Anderson and Robert Anderson of Kent County and State aforesaid in the full and just sum of one hundred and eighty two pounds ten shillings and two pence Gold or Silver Current money, to be paid unto the said Thomas and Robert Anderson, or to their certain Attorney, Executors, Administrators or Assigns: To which payment well and truly to be made and done, I bind myself my Heirs, Executors and Administrators jointly and severally firmly by these presents — Sealed with my Seal, and dated this twenty fourth day of September Anno Dominii one thousand seven hundred and ninety five — The Condition of this Obligation is such, that if the above bounden John Cain or his Heirs, Executors, Administrators, or any of them do, and shall well and truly pay or cause to be paid unto the said Thomas and Robert Anderson, or to their certain Attorney, Executors, Administrators or Assigns, the just and full sum of ninety one pounds five shillings and one penny in Current Gold or Silver money, according to the rates now established

by Act of Assembly of Maryland, without any fraud or delay — Then the above Obligation to be void, else to remain in full force, and virtue in Law. —

Signed, Sealed and Delivered in the presence of Sam Mudie — John Cain . . Seal

Thereupon, it was ruled by the Court at the prayer of the said Thomas and Robert Anderson by their Attorney aforesaid that the said John Cain answer to the Declaration aforesaid of them the said Thomas and Robert Anderson in the plea aforesaid — And the said John Cain by his Attorney aforesaid further defended the force and injury when &c, and prayed leave of the Court to imparle untill the next Term, and he had it. The same day was given to the said Thomas and Robert Anderson, then, &c — And now here, at this day towit, the second Tuesday of September in the year of our Lord one thousand seven hundred and ninety eight, comes again into Court the parties aforesaid by their Attornies aforesaid; And the said John Cain by his Attorney aforesaid further defends the force and injury when &c, and says, that he cannot gainsay the action aforesaid of the said Thomas and Robert Anderson so as aforesaid against him brought, nor can he deny but that he owes to the said Thomas and Robertson the full and just sum of one hundred and eighty two pounds ten shillings and two pence Current money in manner and form as they the said Thomas and Robert above thereof against him complain — Therefore it is considered by the Court here that the said Thomas and Robert Anderson recover against the said John Cain, as well the said sum of one hundred and eighty two pounds ten shillings and two pence Current money, their Debt aforesaid in form aforesaid acknowledged, as also the quantity of six hundred and twenty three pounds of Tobacco for their Damages, which they have sustained, as well by occasion of the detention of that Debt, as for their Costs and Charges, by them about their suit in this behalf laid out, and expended; adjudged by the Court here unto the said Thomas and Robert Anderson with their assent — And the said John Cain in mercy &c. Test, James Earle Junr. Clk.

Memorandum, Judgment was confessed in this action on the 12th day of September 1798 for Penalty and Costs — To be released on payment of the principal, Interest, and Costs — with Stay of Execution untill the next Term, payments, if any, to be allowed.

James Price, use of John Ashley against Kitty and Harriott Hutchings Extrs of James Hutchings

Be it remembered that on the twelfth day of June in the year of our Lord one thousand seven hundred and ninety seven, a certain James Price by James Scott Esquire his Attorney, sued out of the Eastern Shore General Court, the State of Maryland, a Writ of Scire facias against Kitty and Harriott Hutchings Extrs of James Hutchings, directed to the Sheriff of Queen Anns County, in the words, and figures, following, towit — The State of Maryland, To the Sheriff of Queen Anns County, Greeting: Whereas at a General Court held for the Eastern Shore of this State, at Easton, in Talbot County, the second Tuesday of April Seventeen hundred and ninety one, before the Honorable the Judges thereof, a certain

Seal of the Eastern Shore General Court