of Montgomery County Gentleman otherwise called Edward Burgess of Montgomery County was summoned to answer unto Samuel Beall in a plea that he render to him the sum of five thousand three hundred and seventy six pounds fifteen shillings and eight pence specie current money of Maryland which to him he owes and unjustly detains and so forth - And whereupon the said Samuel by Richard Potts his Attorney saith that whereas the aforesaid Edward on the tenth day of April in the year seventeen hundred and eighty four at Montgomery County aforesaid by his certain writing obligatory Acknowledged himself to be held and firmly bound unto him the said Samuel in the aforesaid sum of five thousand three hundred and seventy six pounds fifteen shillings and eight pence specie current money of Maryland to be paid to him the said Samuel when afterwards he should be thereunto required - Nevertheless the said Edward (although often thereunto required) hath not rendered or paid to him the said Samuel the aforesaid sum of money nor any part thereof but the same to him the said Samuel to render or pay hath hitherto altogether refused and still doth refuse wherefore the said Samuel saith he is injured and hath damage to the value of five thousand pounds - current money of Maryland and therefore he brings suit and so forth and brings here into court the writing obligatory aforesaid sealed with the seal of the said Edward which the debt aforesaid in form aforesaid witnesseth the date whereof is the day and year aforesaid and so forth. ——

R. Potts for the plaintiff pledges & so forth - { John Doe and Richard Roe

A copy of which aforegoing declaration was made and sent with the writ that issued in the plea aforesaid - At which said second tuesday of May to wit the 10th day of the same month Anno Domini 1785 being the day of the return of the aforegoing writ comes the the said Samuel Beall by his Attorney aforesaid and the Sheriff of Montgomery County to whom the aforegoing writ was directed likewise comes and makes return thereof to the court here thus Indorsed Viz.t - non Est - John H. Nicholls Shff.

Whereupon it is ordered by the court that the said writ be renewed returnable here the second tuesday of October next - At which said second tuesday of October to wit the 11th day of the same month Anno Domini 1785 being the day of the return of the aforegoing writ comes the said Samuel Beall by his Attorney aforesaid and the Sheriff of Montgomery County to whom the same writ was directed likewise comes and makes return thereof to the court here thus Indorsed Viz.t Capi - copy left 11th Augt J. H. Nicholls Shff. ---

And the said Sheriff although solemnly called to bring into court the body of the said Edward Burgess according to the return of the writ aforesaid brings him not in but makes default whereupon it is adjudged by the court here that the said Sheriff be amerced the debt and costs of suit in the action aforesaid unless he have the body of the said Edward Burgess here next court - At which said next court to wit the 9th day of May Anno Domini 1786 comes into the General court here the said Samuel Beall by his attorney aforesaid and the Sheriff aforesaid being solemnly called upon to bring in the body of the said Edward Burgess according to the return of the writ aforesaid, brings him in - therefore it is ordered

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by the court that the said amercement be struck out - and the said Edward Burgess by Jeremiah Townley Chase his Attorney appears and at the prayer of the plaintiff it is adjudged that the said Edward Burgess give special Bail to the action aforesaid thereupon John Burgess of Ann Arundel County Gentleman and John H. Nicholls of Montgomery County Gentleman present here in court undertakes for the said Edward Burgess that in case the said Samuel Beall shall recover judgement against the said Edward Burgess in the plea aforesaid or that the said Edward Burgess shall be therein legally convict that then the said Edward Burgess shall pay the condemnation of the court thereupon or render his body to the custody of the Sheriff of Montgomery County in satisfaction thereof or that they the said John Burgess and John H. Nicholls will do the same for him - and the aforesaid Edward Burgess by his Attorney aforesaid comes and defends the force and injury when and so forth - and prays leave to imparle hereunto until next court and he hath it and the same day is given to the plaintiff also - At which said next court to wit the 10th day of October Anno Domini 1786 come again as well the said Samuel Beall by his attorney aforesaid as the said Edward Burgess by his Attorney aforesaid and the said Edward Burgess by his said Attorney further comes and defends the force and injury when and so forth and prays an hearing of the writing obligatory aforesaid and the condition thereof and he hath it in these words to wit. Know all men by these presents that we Richard Ponsonby of Prince Georges County and State of Maryland and Edward Burgess of Montgomery County and said State are held and firmly bound unto Samuel Beall of the city of Williamsburgh & State of Virginia merchant in the full and just sum of five thousand three hundred and seventy six pounds fifteen shillings and eight pence specie current money of Maryland to be paid unto the said Samuel Beall his certain Attorney his heirs Executors Administrators or assigns to the which payment well and truly to be made and done we bind ourselves our heirs Executors and Administrators jointly and severally in and for the whole firmly by these presents sealed with our seals and dated this tenth day of April one thousand seven hundred and eighty four the condition of the above obligation is such that if the above bound Richard Ponsonby & Edward Burgess their heirs Executors or Administrators do and shall well and truly pay or cause to be paid unto the said Samuel Beall his certain Attorney his heirs Executors Administrators or assigns on or before the first day of June next ensuing the date hereof the full and just sum of two thousand six hundred and eighty eight pounds seven shillings and ten pence specie current money of Maryland with legal Interest for the same from the first Instant April then the above obligation to be void else to remain in full force and virtue in Law - Which being read and heard the same Edward Burgess saith that the said Samuel his action aforesaid against him to have & maintain ought not because he saith that he the said Edward before the impetration of the original writ of him the said Samuel to wit the thirteenth day of April in the year seventeen hundred and eighty five at the County of Montgomery did pay to him the said Samuel the aforesaid sum of money in the said condition specified together with all the Interest thereon due according to the form of the Statute in that case made and provided and this he is ready to verify wherefore he prays Judgment whether the said Samuel his action aforesaid against him ought to have and maintain and so forth - And the said Samuel saith that he by any thing by the said Edward alledged from having his action aforesaid ought not to be precluded because he saith that the aforesaid Edward did not pay to him the said Samuel the aforesaid sum of money with legal Interest for the same on the aforesaid thirteenth day of April in the year seventeen hundred and eighty five. which the aforesaid Edward to the said Samuel on the aforesaid day ought to have paid according to the form and effect of the said condition as the aforesaid Edward above hath alledged and this he prays