hundred and ninety three the Plaintiffs by William Cooke their Attorney sued out of our General Court the State of Marylands Writ of Capias ad respondendum directed to the Sheriff of Prince Georges County in the words and figures following to wit —

The State of Maryland, sc. To the Sheriff of Prince Georges County, greeting. We command you that you take Charles Burgess late of Prince Georges County planter, otherwise called Charles Burgess of Prince Georges County and State of Maryland planter, if he shall be found in your bailiwick, and him safe keep, so that you have his body before the Judges of our General Court, to be held at the City of Annapolis on the second Tuesday of May next, to answer unto Joseph Yates, John Petty and Richard Yates of a plea that he render unto them the sum of Four hundred and twenty nine pounds five shillings and eight pence current Money which to them he owes and from them he unjustly detains and so forth, hereof fail not at your peril, and have you then and there this Writ, Witness the Honourable Samuel Chase Esquire, Chief Judge of our said Court, the 19th day of November Anno Domini 1792 —

Issued the 15th day of March 1793 — W. Cooke, John Gwinn Clk

And the aforesaid Joseph Yates, John Petty, and Richard Yates by their attorney aforesaid declared against the aforesaid Charles Burgess in the plea aforesaid, as follows, to wit,

State of Maryland Prince Georges County, to wit, Charles Burgess late of Prince Georges County planter otherwise called Charles Burgess of Prince Georges County and State of Maryland planter was summoned to answer unto Joseph Yates, John Petty and Richard Yates of a plea that he render unto them the sum of Four hundred and twenty nine pounds five shillings and eight pence current money which to them he owes and from them he unjustly detains and so forth. And whereupon the said Joseph, John, and Richard by William Cooke their Attorney say that whereas the aforesaid Charles on the thirty first day of May in the year One thousand seven hundred and ninety two at the County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound unto them the aforesaid Joseph, John, and Richard by the name and description of John Petty and Company in the aforesaid sum of Four hundred and twenty nine pounds five shillings and eight pence current money to be paid to them the aforesaid Joseph, John and Richard when afterwards he should be thereto required Nevertheless the aforesaid Charles (altho often thereto required) the aforesaid sum of Four hundred and twenty nine pounds five shillings and eight pence current money to them the aforesaid Joseph, John and Richard or to any or either of them hath not rendered or paid but the same sum of money to them hitherto to render or pay hath altogether refused and still doth refuse wherefore the said Joseph, John and Richard say they are the worse and have Damage to the value of Eight hundred and fifty eight pounds eleven shillings and four pence current Money and therefore they bring Suit and so forth. And bring here into Court, the Writing obligatory aforesaid, Sealed with the Seal of the aforesaid Charles which the Debt aforesaid in form aforesaid witnesseth the date whereof is the day and year aforesaid and so forth. —

William Cooke for the Plaintiffs Pledges and so forth, John Doe and Richard Roe,

And the aforesaid Charles 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 hath them in the words following, to wit, —

Know all men by these presents, that I Charles Burgess of Prince Georges County and State of Maryland planter am held and firmly bound unto John Petty and Company Merchants of the City of Annapolis in the full and just sum of Four hundred and twenty nine pounds five shillings and eight pence to be paid unto John Petty and Company certain Attorney Executors Administrators or Assigns To the which payment well and truly to be made and done I bind myself my Heirs Executors and administrators firmly by these presents Sealed with my Seal and dated this 31st day of May in the year of our Lord one thousand seven hundred and ninety two —

The Condition of the above obligation is such that if the above bound Charles Burgess do and shall well and truly pay or cause to be paid unto the said John Petty and Company their certain Attorney Executors Administrators or Assigns the full and just sum of Two hundred and fourteen pounds twelve shillings and ten pence current money with legal Interest thereon 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 Charles Tubman } Indorse.t — Charles Burgess (seal)

By the Nett proceeds of 2 Hhds. Tob.o consigned to Yates Petty & Yates to be applyed to the credit of the writing Bond when the Acc.t Sales come to hand. —

A Copy of which aforegoing Declaration Oyer and Indorsement was made and sent with the Writ which issued in the plea aforesaid. —

At which mentioned second Tuesday of May being the fourteenth day of the same Month Anno Domini seventeen hundred and ninety three and the day of the return of the aforegoing Writ come here into our General Court the aforesaid Joseph Yates, John Petty and Richard Yates by William Cooke their Attorney aforesaid. And the Sheriff of Prince Georges County to whom the said aforegoing Writ was made and directed likewise comes and makes return thereof, to the Court here, thus endorsed, to wit, — Cepi Copy left with Defendent 19th April 93. William D. Beall Sheriff,

And the said Charles Burgess being called upon appears, And at the prayer of the aforesaid Joseph Yates, John Petty, and Richard Yates by their Attorney aforesaid, the said Charles Burgess is adjudged to give special Bail to the action aforesaid, Whereupon the said Charles Burgess by Edward Nicholls his Attorney files in Court here, the following Bail piece, to wit, —

Joseph Yates, John Petty and Richard Yates. against Charles Burgess.

You Michael Lowe and Richard Burgess do jointly and severally acknowledge yourselves special Bail for the said Charles Burgess at Suit of the said Joseph Yates, John Petty and Richard Yates in an action of Debt brought by the said Joseph Yates, John Petty and Richard Yates against the said Charles Burgess in the General Court. They acknowledge themselves to be content therewith, this 15th day of May 1793. before

To the Honorable the Judges of the General Court,

David Crawford
Saml. Hepburn