Maryland of capias ad respondendum directed to the Sheriff of Frederick county in the words and figures following, to wit. -

The State of Maryland. Sc. To the Sheriff of Frederick county, greeting: you are hereby commanded to take Jean Payen Boisneuf late of Frederick county farmer if he shall be found in your bailiwick, and him safe keep, so that you have his body before the Judges of the General court, to be held at the city of Annapolis on the second tuesday of may next, to answer unto John Hoffman in a plea of trespass on the case and so forth, hereof fail not at your peril, and have you then and there this writ. Witness the Honourable Robert Goldsborough Esquire, chief Judge of the said Court, the 29th day of January anno dom 1798. Issued the 30th day of March 1798. L. M. S. S. Jn. Green Clk

And the aforesaid John Hoffman by his attornies aforesaid on the day of the issuing of the aforesaid Writ filed in Court here, the following declaration, a copy whereof was made and sent with the said writ, to the Sheriff of the county aforesaid, to wit

State of Maryland, Western shore, General court. Frederick county, to wit. Jean Payen Boisneuf late of Frederick county farmer was attached to answer unto John Hoffman in a plea of trespass on the case and so forth, and whereupon the said John by Luther Martin and Arthur Shaff his attornies complains that the said Payen on the fifth day of January in the year of our Lord one thousand seven hundred and ninety three at the county aforesaid was indebted unto him the said John in the sum of two thousand pounds current money for so much like money by him the said Payen before that time had and received to and for the use of him the said John, and so being thereof indebted the said Payen in consideration thereof afterwards to wit, on the day and year aforesaid undertook and promised to him the said John to pay him the aforesaid sum of money when afterwards he should be thereunto required, and also that the said Payen afterwards to wit, on the aforesaid fifth day of January in the year of our Lord one thousand seven hundred and ninety three at a certain place called La Ronde near Pinay in the District of Tours to wit at Frederick county aforesaid made his note in writing commonly called a promissory note his own proper hand being thereunto subscribed bearing date the day and year aforesaid and then and there delivered the said note to Antoine Roland Deheaulme, Anne Deheaulme, and Elizabeth Deheaulme, and by the said note promised to pay to the order of the said Antoine, Anne & Elizabeth by the name of Monsieur & Mesdemoselles Deheaulme on demand the sum of twenty seven thousand four hundred and five livers with interest thereon at the rate of five per cent from the date of the said note it being for value received and the said Antoine, Anne, and Elizabeth to whose order the said Note was made payable, after the making thereof and

before the payment of any part of the money in the said note specified, to wit, on the first day of January in the year one thousand seven hundred and ninety eight at the county aforesaid indorsed the said note their own proper hands being thereunto subscribed, by which said indorsement the said Antoine, Anne, and Elizabeth appointed the said sum of money in the said note specified to be paid to him the said John, and then and there delivered the said note so indorsed to him the said John of which said indorsement so made on the said note as aforesaid, the said Payen afterwards, to wit, on the day and year last aforesaid at the county aforesaid had notice by means whereof and by force of the statute in such case made and provided he the said Payen became liable to pay to him the said John the sum of money mentioned in the said note according to the tenor and effect of the said note; and so being liable he the said Payen in consideration thereof afterwards, to wit, on the day and year aforesaid at the county aforesaid undertook and faithfully promised the said John to pay him the aforesaid sum of money in the said note specified according to the tenor and effect of the said note when he should be thereunto requested, and the aforesaid John in fact avers that the aforesaid sum of twenty seven thousand four hundred and five livers in the said note mentioned, were at the date of the said note, ever since have been and still are worth the sum of five thousand pounds current money, to wit, at the county aforesaid, yet the said Payen not regarding his several promises and assumptions so by him made in manner aforesaid but meaning and fraudulently intending him the said John in the premisses to deceive and defraud the aforesaid several sums of money or any part of them to him the said John he hath not paid, (altho' to do so he the said Payen was often requested by the said John to wit, on the day and year last aforesaid and often afterwards at the county aforesaid) but the same or any part thereof to him the said John to render or pay he the said Payen hath hitherto wholly refused and still doth refuse: whereby the said John says he is injured and has damage to the value of twenty thousand pounds current money and therefore he brings suit and so forth.

Luther Martin. Arthur Shaff for Plff. pledges of prosecution John Doe & Rich. Roe

At which mentioned second tuesday of May being the eighth day of the same month, in the year of our Lord one thousand seven hundred and ninety eight; and the day of the return of the aforegoing writ, comes into the General Court here, the aforesaid John Hoffman by Luther Martin and Arthur Shaff his attornies aforesaid: and the Sheriff of Frederick county aforesaid, to wit, Abner Ritchie Gentleman, to whom the said aforegoing writ was in form aforesaid directed, likewise comes and makes return thereof, to the Court here thus endorsed, to wit, "Cepi Nar del. the 18th. april 98. Abner Ritchie Sheriff